

Message

From: Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]
Sent: 3/29/2021 11:57:52 AM
To: Kim, Eun [Kim.Eun@epa.gov]
Subject: Ex. 6 Personal Privacy (PP) Resume. Thanks.
Attachments: Ex. 6 Personal Privacy (PP)

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

To: Kim, Eun[Kim.Eun@epa.gov]
From: Goffman, Joseph[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]
Sent: Fri 3/26/2021 7:53:01 PM (UTC)
Subject: resume -- William Niebling
[William Niebling - Resume - 2020.pdf](#)

Thanks.

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

WILLIAM L. NIEBLING

PROFESSIONAL EXPERIENCE

Lippes Mathias Wexler Friedman LLP

2019 – present

Senior Associate

- Counsel, advise, and represent clients on environmental law matters
- Broad practice covering all major environmental statutes and representing clients including tribal nations, renewable energy developers, affordable housing providers, and more

Environmental and Energy Law Program, Harvard Law School

2018 – 2019

Research Counsel

- Conduct research and writing projects on regulatory and policy changes in environmental law and policy under the Trump Administration
- Develop and implement strategy for re-launched organization looking to expand its impact

Office of Senator Kamala D. Harris

2017

Legislative Counsel

- Portfolio: environment, energy, public lands, transportation, infrastructure, and agriculture
- Managed Senator's membership on Environment and Public Works Committee
- Conducted oversight over EPA and Army Corps; secured funding for major California transportation projects

Office of Air and Radiation, U.S. Environmental Protection Agency

2014 – 2017

Senior Advisor for Congressional & International Affairs

- One of four appointees in 1400-person office responsible for implementing the Clean Air Act, reporting directly to acting Assistant Administrator
- Managed all air-related EPA interactions with Congress, including: legislative strategy; preparing witnesses for hearings; responding to oversight requests, letters, and inquiries; and briefing Members and staff
- Coordinated international clean air and climate change efforts, and represented EPA to foreign governments
- Provided policy, political, and legal advice on the development and implementation of the Clean Power Plan, including primary responsibility for tribal areas and certain states and territories as well as general participation in all aspects
- Advised on permit petition responses, civil rights compliance, data transparency policy, and other matters
- Provided general political, policy, communications, management, and strategic advice as requested

Office of Senator Edward E. Kaufman

2009 – 2010

Legislative Assistant

- Portfolio: economic and fiscal policy; taxes; energy, climate, environment; agriculture; communications
- Responsible for budget, economic recovery legislation, six major spending bills, climate and

Ex. 6 Personal Privacy (PP)

- energy bill
- Instructed freshman Senator on floor procedure, legislative process, and custom at his specific request
- Represented Senator at Copenhagen climate negotiations; instructed other Senate staff in U.N. process

Obama-Biden Transition Project

2008 – 2009

Correspondence Director, Office of the Vice President-elect

- Managed incoming and drafted outgoing correspondence for Vice President-elect

Office of Senator Joseph R. Biden, Jr.

2006 – 2009

Legislative Assistant, promoted from Legislative Correspondent

- Advised Senator on housing crisis, financial markets bailout, climate change legislation, gas prices, immigration reform, federal budget, energy policy, taxes, trade, labor, telecommunications, and a range of other subjects
- Advised Foreign Relations Committee on international climate change, energy, and economic issues

EDUCATION AND INTERNSHIPS

Harvard Law School

Graduated 2013

Juris Doctor

- Fellow, Law and Government Program of Study, 2011 – 2013
- Research Fellow for International Water Federalism conference, 2011 – 2012
- Member, Board of Advisors, Leadership Institute of Harvard College, 2011 – 2012
- Editor, Harvard Journal on Legislation, 2010 – 2011

Natural Resources Defense Council

2012

Summer Legal Fellow

- Drafted comments on major Clean Air Act rulemaking, and coordinated multi-organization motion for intervention on same rulemaking
- Formulated strategy and drafted brief sections for N.J. administrative procedure litigation

United States Department of Energy

2011

Summer Intern, Office of General Counsel

- Legal research and writing relating to range of energy policy issues, including Federal Power Marketing Administrations, Yucca Mountain, and Energy Star compliance

Yale University

Graduated 2006

B.A. in East Asian Studies (China), Cum Laude, with Distinction in the Major

OTHER EXPERIENCE

- Chinese (Mandarin), limited proficiency; and Spanish, working proficiency
- Former Emergency Medical Technician with wilderness certification

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Message

From: Ex. 6 Personal Privacy (PP)
Sent: 2/16/2021 10:56:28 PM
To: Goffman, Joseph [Goffman.Joseph@epa.gov]
Subject: Air office hires
Attachments: Ex. 6 Personal Privacy (PP)

Dear Joe,

I am Ex. 6 Personal Privacy (PP) and I am interested in joining EPA to work in the air office. As an environmental attorney with extensive experience in the private sector and in academia, I would bring deep policy expertise and strong leadership skills to the Administration.

My work in academia has included research on energy efficiency standards, international climate policy, and regulation of stationary sources under the Clean Air Act. With my background, I would be well-positioned for policy-making roles on issues such as the Biden climate plan, reversing Trump's rollbacks of EPA regulations, and establishing strong CAFE standards for mobile sources.

I've attached my resume, and I'm interested in speaking with you further about opportunities at EPA as the agency staffs up.

Regards,

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Message

From: Campbell, Ann [Campbell.Ann@epa.gov]
Sent: 2/26/2021 1:49:40 PM
To: Goffman, Joseph [Goffman.Joseph@epa.gov]
Subject: Re: Biden-Harris climate team

Yes, I've been working with Scott on these. Do you know this gentleman personally. If not I will move to Scott for a response and he will loop in presidential personnel.

Ann (Campbell) Ferrio
Chief of Staff
Office of Air and Radiation
(202) 566-1370

On Feb 26, 2021, at 8:47 AM, Goffman, Joseph <Goffman.Joseph@epa.gov> wrote:

May have sent this already, but any advice on what to do with this? Thanks

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: David Cash [Ex. 6 Personal Privacy (PP)]
Sent: Sunday, February 14, 2021 12:07 PM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Subject: Fwd: Biden-Harris climate team

I am assuming this is a better email address for EPA business than your Harvard email to which I sent an email recently...

Dear Joe,

It is incredible to see how quickly and comprehensively the Administration is moving forward on climate, and it's great to see you back on the team!

The challenges and opportunities of creating a just energy transition are enormous now, and I would be thrilled to be part of the Biden-Harris Administration moving the country forward. Might I be able to grab a short conversation with you in the next couple of days to explore possible opportunities with you?

With my background as state assistant secretary for energy and environment, utilities commissioner, and environment commissioner driving large-scale climate transformation, I would hope to help shape and implement transformative national policy and reclaim a United States leadership role in the global community.

Although not limited to these, the following are the kinds of positions that I seek, helping coordinate climate and clean energy policy across the federal government and catalyzing collaboration with states:

- **EPA or DOE**, Principal Deputy Assistant Administrator/Secretary, Senior Advisor or other similar position
- **Council on Environmental Quality (CEQ)**, Principal Deputy Associate Director for Energy and Climate Change
- **Office of Science and Technology Policy (OSTP)**, Associate Director for Environment
- **Executive Director**, US Global Change Research Program

•
As I am sure you know, the transition team has created an application portal for those who worked on policy committees during the campaign. As a member of the Climate, Energy and Environment Policy Committee and co-lead of the Climate Federalism Working Group, I submitted application materials, so I am in the system.

I have attached my cover letter and CV for your perusal and to forward as you see fit, and perhaps we can have a quick conversation about possible opportunities?

Warmly,

David

David W. Cash, PhD

Personal:

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Professional:

Dean

John W. McCormack Graduate School of Policy and Global Studies

University of Massachusetts Boston

+1 617-287-5511 (office); david.cash@umb.edu

In the media:

The Boston Globe: *[The intersection of the climate crisis and social justice](#)*

Tampa Bay Times: *[Ending the myth of the environment versus the economy](#)*

McCormack Speaks Blog: *[From COVID economy to clean energy economy](#)*

<David W Cash_Cover Letter_January_21_2021.docx.pdf>

<David W Cash_Cover Letter_01_21_2021.docx>

Message

From: Cynthia Giles; Ex. 6 Personal Privacy (PP)
Sent: 10/5/2021 9:08:41 PM
To: Goffman, Joseph [Goffman.Joseph@epa.gov]
Subject: resume
Attachments: Giles resume.docx

CYNTHIA GILES

Ex. 6 Personal Privacy (PP)

PROFESSIONAL EXPERIENCE

[tc \II "PROFESSIONAL EXPERIENCE]

HARVARD LAW SCHOOL

Guest Fellow, Environmental and Energy Law Program, 2018 to present

Writing *Next Generation Compliance: Environmental Regulation for the Modern Era* (forthcoming Oxford University Press), advocating for an innovative approach to environmental rules so they achieve much better outcomes in the real world. Multiple chapters of the book are published on the Harvard [HYPERLINK "https://eelp.law.harvard.edu/2020/09/next-generation-compliance-environmental-regulation-for-the-modern-era/"].

BIDEN-HARRIS PRESIDENTIAL TRANSITION

Deputy Team Lead, Environmental Protection Agency Review Team, Oct. 2020-Jan. 2021

UNIVERSITY OF CHICAGO

Executive Fellow, Director of Strategic Initiatives, Energy & Environment Lab, 2017-2018

Collaborated with economist Michael Greenstone to develop and field test innovative environmental compliance strategies.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Assistant Administrator, Office of Enforcement and Compliance Assurance, 2009 to 2017

Senate-confirmed presidential appointee, responsible for civil and criminal enforcement of the nation's environmental laws, EPA's agency-wide environmental justice program, and NEPA. Head of OECA, the largest office in EPA, with 2,800 employees in Washington, 10 regional offices and over 30 field offices nationwide, with an annual budget of over \$550 million.

CONSERVATION LAW FOUNDATION

Vice President, Director of Rhode Island Advocacy Center, 2005 to 2009

Head of Rhode Island office of New England environmental advocacy organization focused on climate change, clean energy, and water pollution.

MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION

Assistant Commissioner, 2001 to 2005

Head of the Bureau of Resource Protection, the largest department within DEP.
Responsible for water programs, including surface water, drinking water, wetlands and grants and loans for water quality and drinking water improvements.

NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION
Environmental consultant, 2001

ROGER WILLIAMS UNIVERSITY SCHOOL OF LAW, Fall 2000, Adjunct Professor,
Environmental Law

SIERRA CLUB, Chair, Rhode Island Chapter, 1998 to 1999

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, 1991 to 1997

Special Project, Office of Enforcement and Compliance Assurance, Washington, D.C.,
1996 to 1997, Authored white paper on a proposed national direction for environmental
enforcement: "Aiming Before We Shoot: A Revolution in Environmental Enforcement."

Director, Enforcement Coordination Office, EPA Region 3, 1994 to 1996

Acting Deputy Division Director
Environmental Services Division, EPA Region 3, 1992

Chief, Air, Water, Toxics and General Law Branch
Office of Regional Counsel, 1990 to 1994

UNITED STATES ATTORNEY'S OFFICE, Philadelphia, Pennsylvania
Assistant United States Attorney, 1985 to 1990

Prosecuted enforcement cases under all major federal environmental laws. Received the
Attorney General's Distinguished Achievement Award in 1990 for outstanding
achievement in environmental enforcement. The nominating petition states: "Assistant
United States Attorney Giles is probably the best environmental enforcement lawyer in
the federal government. Her record has established her as a nationally recognized expert
to whom Justice Department attorneys nationwide frequently turn for advice."

DRINKER BIDDLE & REATH, Philadelphia, Pennsylvania
Associate, Litigation Department, 1978 to 1985

[tc \II "AWARDS AND HONORS] EDUCATION

HARVARD UNIVERSITY, KENNEDY SCHOOL OF GOVERNMENT
M.P.A., concentration in environmental policy, 2000

UNIVERSITY OF CALIFORNIA AT BERKELEY SCHOOL OF LAW

J.D., 1978, Comments Editor, Ecology Law Quarterly

CORNELL UNIVERSITY

B.A. with distinction, 1975, College Scholar

Message

From: Drinkard, Andrea [Drinkard.Andrea@epa.gov]
Sent: 3/3/2022 5:30:37 PM
To: McCabe, Janet [McCabe.Janet@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Hooper, Daniel [hooper.daniel@epa.gov]; Campbell, Ann [Campbell.Ann@epa.gov]; Tsirigotis, Peter [Tsirigotis.Peter@epa.gov]; Kim, Eunjung [Kim.Eun@epa.gov]; Monger, Jon [Monger.Jon@epa.gov]; Koerber, Mike [Koerber.Mike@epa.gov]; Timin, Brian [Timin.Brian@epa.gov]; Kornylak, Vera S. [Kornylak.Vera@epa.gov]; Palma, Elizabeth [Palma.Elizabeth@epa.gov]; Marks, Matthew [Marks.Matthew@epa.gov]; Li, Ryland (Shengzhi) [Li.Ryland@epa.gov]; Fernandez, Cristina [Fernandez.Cristina@epa.gov]; Gordon, Michael [Gordon.Mike@epa.gov]; Feldman, Michael [Feldman.Michael@epa.gov]; Garcia, David [Garcia.David@epa.gov]; Hawkins, Andy [hawkins.andy@epa.gov]; Skelley, Dana [Skelley.Dana@epa.gov]; Jackson, Scott [Jackson.Scott@epa.gov]; Daly, Carl [Daly.Carl@epa.gov]; Benjamin, Lynorae [benjamin.lynorae@epa.gov]; Walther, Katherine [Walther.Katherine@epa.gov]; Moeller, Njeri [Moeller.Njeri@epa.gov]; Greenglass, Nora [Greenglass.Nora@epa.gov]; Freeman, Caroline [Freeman.Caroline@epa.gov]; Hoffer, Melissa [Hoffer.Melissa@epa.gov]
Subject: RE: EXTERNAL: Video-call: National Parks Conservation Association (Confirmed)
Attachments: Regional Haze Meeting Statements_FINAL.pdf; Regional Haze Meeting - Bios_FINAL.pdf

Hi EPA team,

These just came in from NCPA. Please let me know if anyone has any questions. Ann or Eunjung, please let me know if you will be in attendance. I presume the NCPA team will be able to share the slides (?), but if they run into issues could you two be helpful? I have a conflict at the time of the meeting.

Regional Haze Program Advocates

March 3, 2022

(listed alphabetically)

The regional haze program is a time-tested, effective program that has resulted in real, measurable, and noticeable improvements in national park and wilderness area visibility and regional air quality. Regional haze program advocates urge EPA to build on the program's success by ensuring sharp reductions in air pollution in state regional haze implementation plans for the second planning period. Doing so will not only clear the air across our national parks and wilderness areas, but also benefit pollution-overburdened communities across the country.



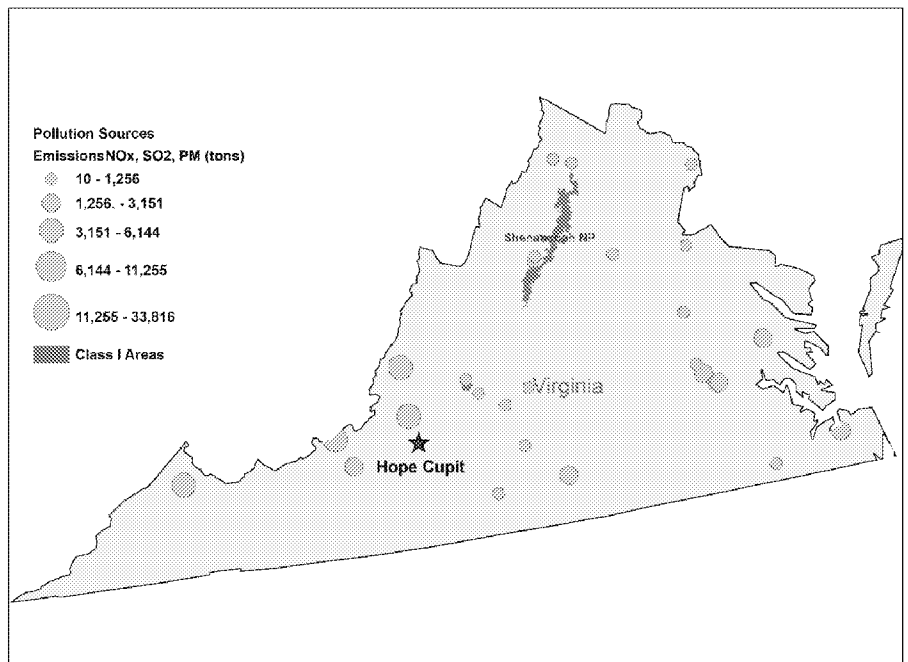
Hope Cupit

President & CEO, Southeast Rural Community Assistance Project

hcupit@sercap.org

Hope Cupit is the President & CEO of Southeast RCAP, a nonprofit focused on improving the quality of life for low-income individuals by promoting affordable water and wastewater facilities, community development, environmental health, and economic self-sufficiency. Hope has been actively involved with community economic development efforts for over 22 years. Hope is also a Certified Public Accountant and professor at Virginia Western Community College.

Virginia's Class 1 Areas and Pollution Sources of Concern

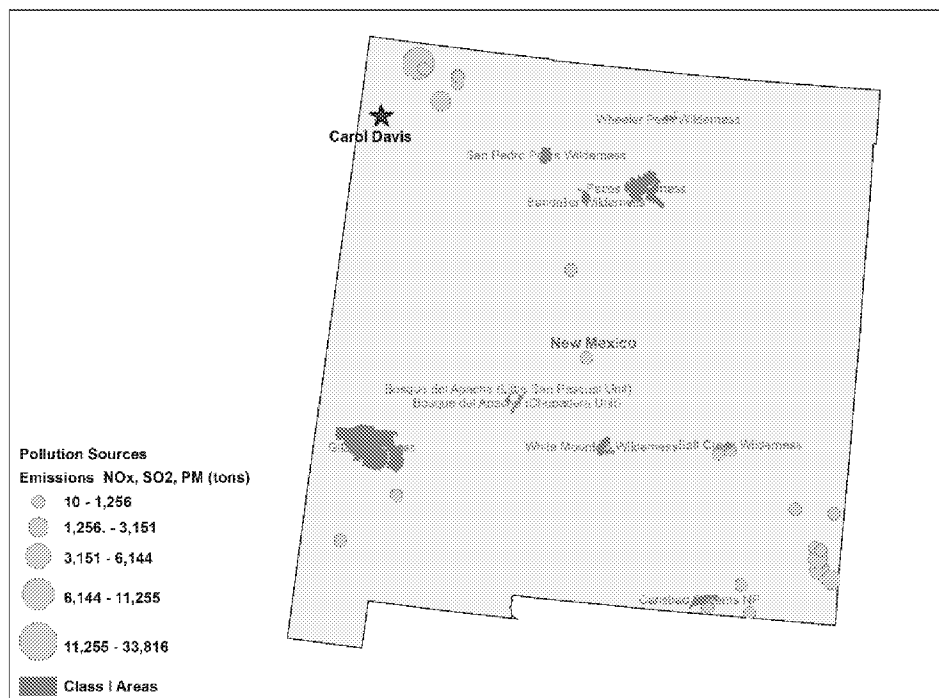




Carol Davis

Director, Diné C.A.R.E.
carol.davis@dine-care.org

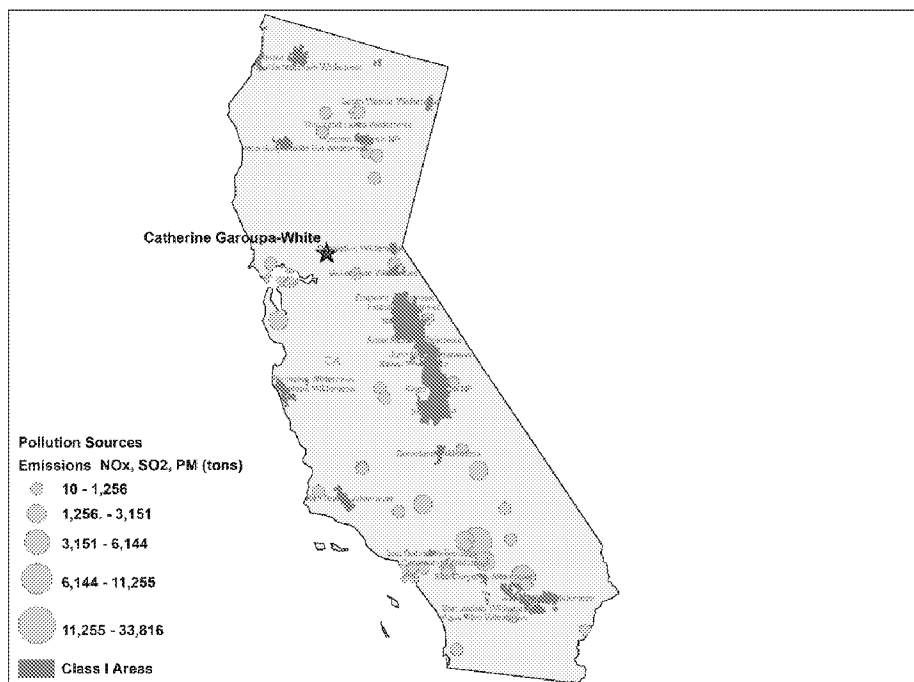
Carol Davis is Diné (Navajo) from the southwest community of Dilkon (Navajo Nation). Her educational background from Northern Arizona University is in Public Administration. Before joining Diné C.A.R.E. ("Citizens Against Ruining our Environment") in May 2015, Carol worked for over seventeen years as a public administrator for her southwestern Navajo Nation community. During that time, she assisted in coordinating social and environmental justice efforts and engaged in advocacy relative to water rights, illegal trash dumping sites, recycling efforts, and natural resource conservation, while emphasizing government accountability in the administration of public resources. Joining the Diné C.A.R.E. team was a natural progression to continue her advocacy in seeking environmental and social justice in coordination with and on behalf of the Navajo public.





Dr. Catherine Garoupa White
 Director, Central Valley Air Quality Coalition
catherine@calcleanair.org

Dr. Catherine Garoupa White (they/she) is the Executive Director of the Central Valley Air Quality Coalition (CVAQ), working to restore clean air to the San Joaquin Valley, the nation's most polluted air basin for fine particles and one of the most polluted for ozone. Garoupa White grew up in Madera and worked as a community organizer for CVAQ from 2006 to 2009, then became CVAQ Director until 2011. Garoupa White obtained a PhD in Geography from University of California, Davis, completing their dissertation on the movement for clean air in the San Joaquin Valley. After graduating in 2016, Garoupa White advanced efforts to end extreme extraction and plan a just transition off fossil fuels with Californians Against Fracking and Dangerous Drilling and returned to CVAQ as Director in 2020. They have a Master of Social Work degree from CSU Fresno and are currently a geography lecturer at CSU Stanislaus and Columbia College. As an activist scholar, Catherine seeks to ground truth data with the lived experiences of environmental justice communities to achieve health equity.



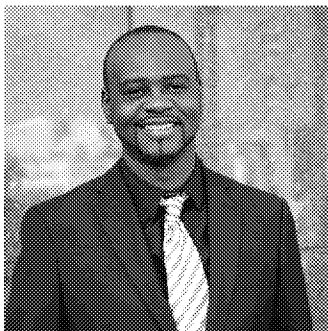
California's Class 1 Areas and Pollution Sources of Concern



Allie Hartmann

Communications Director, Friends of the Everglades
allie.hartmann@everglades.org

Allie Hartmann is Communications Director at Friends of the Everglades. She aids content development, research and digital channel engagement that has generated an upwelling of grassroots involvement and statewide recognition for the mismanagement of South Florida's water resources and the preservation efforts of the greater Everglades ecosystem.

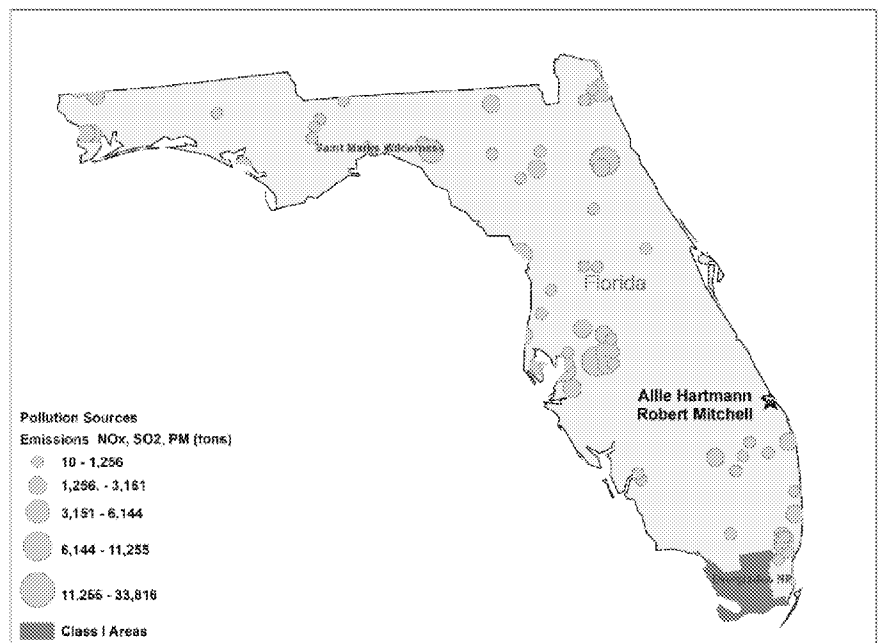


Robert Mitchell

Board Member, Friends of the Everglades
 Campaign Leader, Stop The Burn/GO GREEN Initiative
 Founder, Muck City BLM/Muck City United
robertforbg@gmail.com

Robert Mitchell is a Community Activist from Belle Glade, Florida. He is a graduate of Florida A&M University with a Bachelor's In Education (Theatre) and currently splits time between Belle Glade and Los Angeles where he owns and operates his own 5 Star Rated business, Country Boy Catering Inc. In addition to being a local campaign leader of the Stop The Burn/GO GREEN initiative, Robert is the co-founder of Muck City Black Lives Matter, co-founder of Muck City United, and serves as a member of the Board of Directors for Friends of the Everglades.

Florida's Class 1 Areas and Pollution Sources of Concern

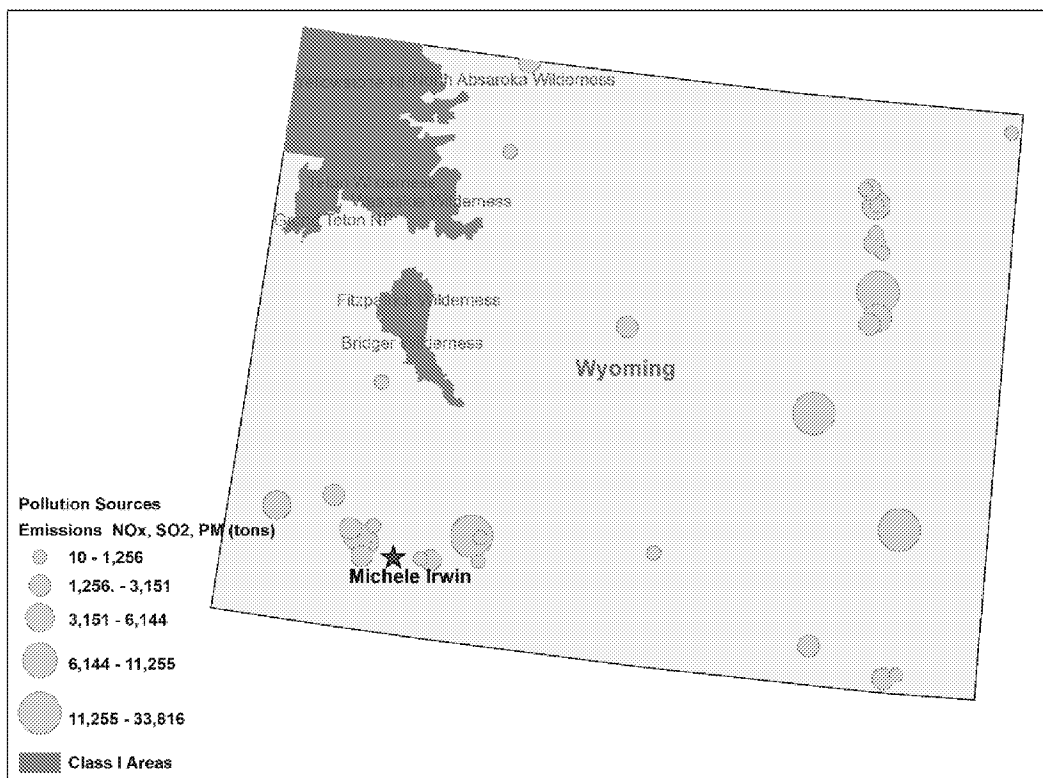




Michele Irwin

SW Wyoming Organizer, Powder River Basin Resource Council
mirwin@powderriverbasin.org

Michele Irwin is a resident of SW Wyoming since 1987, outdoor enthusiast, hunter, and photographer. She lives along the Green River downstream from Ciner Soda Ash and Seedkedee National Wildlife Refuge. She has been employed for two decades in local industry and holds a Master's in Public Administration from the University of Wyoming. She is currently a community organizer for Powder River Basin Resource Council focused on energy transition in SW Wyoming.



Wyoming's Class 1 Areas and Pollution Sources of Concern



Joshua Jenkins

Civil Rights Era Fellow, National Parks Conservation Association
jjenkins@npca.org

Joshua is NPCA's Civil Rights Era Fellow, located in Birmingham, AL. Before moving to Birmingham, he worked in NPCA's Seattle office where he led the Northwest Regional Haze campaign.

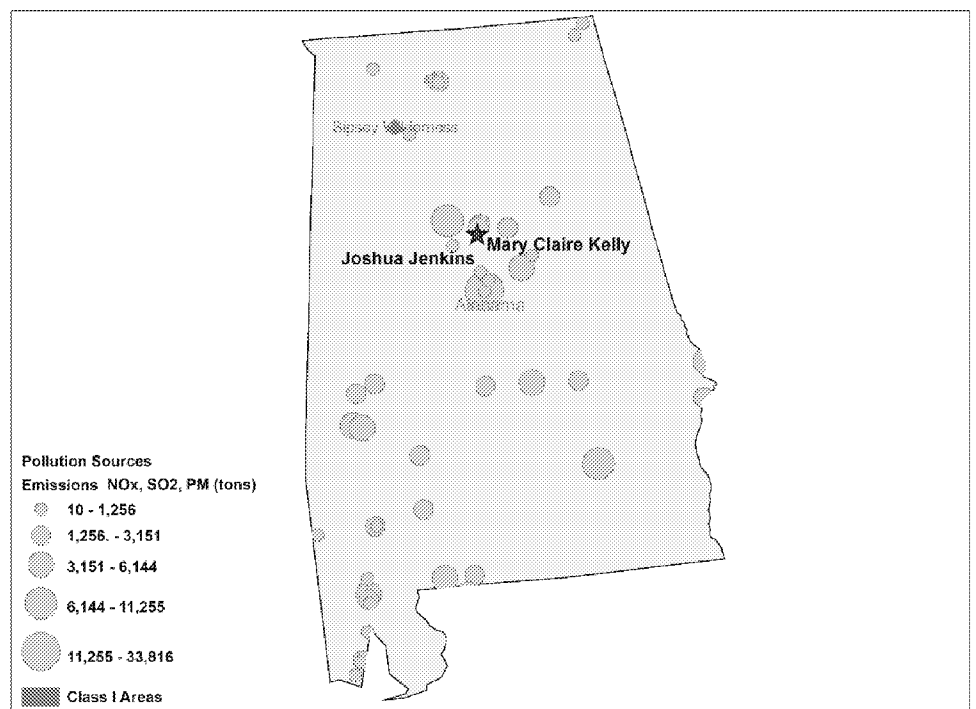


Mary Claire Kelly

Climate Justice Legal Fellow, Greater Birmingham Alliance to
 Stop Pollution
mkelly@gaspgroup.org

Mary Claire Kelly is the Climate Justice Legal Fellow at GASP, an environmental justice organization in Birmingham, Alabama. She is a 2021 graduate of Harvard Law School where she focused on issues of environmental justice, climate justice, and immigrant justice. She has also worked in journalism, digital communications, and historical research. She is a member of the Alabama Bar.

Alabama's Class 1 Areas and Pollution Sources of Concern



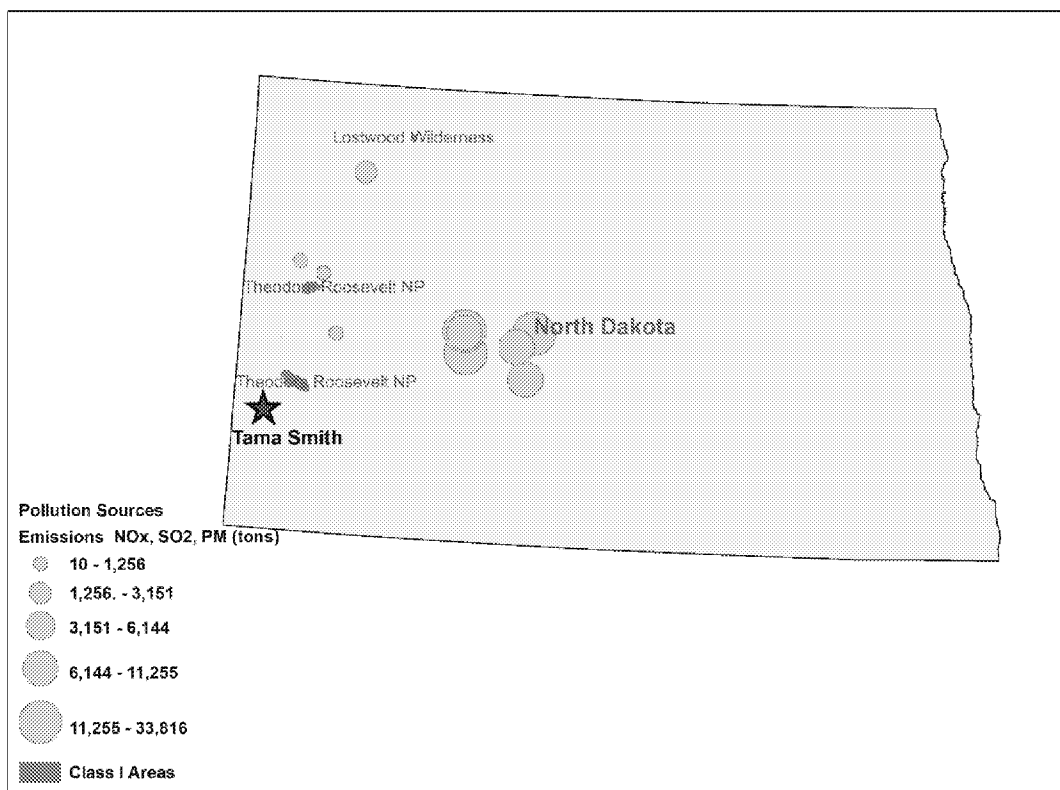


Tama Smith

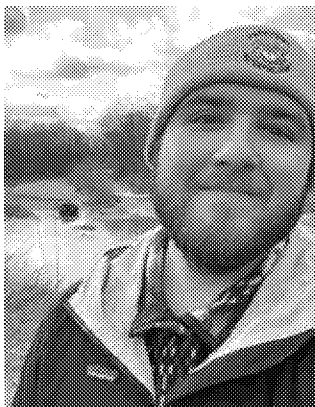
Board Member, Badlands Conservation Alliance

tamasmith@gmail.com

Tama was born, grew up, and was educated in North Dakota. After receiving a Bachelor of Fine Arts Degree from University of North Dakota in 1988, she left the state to work on her master's degree at Michigan State. But it was always her intention to come back. On a happy day in 1995 she moved back to ND and chose Beach as home, where for 28 years she has had her pottery studio and showroom, Prairie Fire Pottery, which she owns with husband and business manager, Jerry DeMartin. The prairie, badlands, and North Dakota's sky define her pottery work. Highly influenced by the land and sky, they show themselves in her extraordinary glazes - both shapes and colors. Defense of the landscape is defense of her artistry and her home.



North Dakota's Class 1 Areas and Pollution Sources of Concern

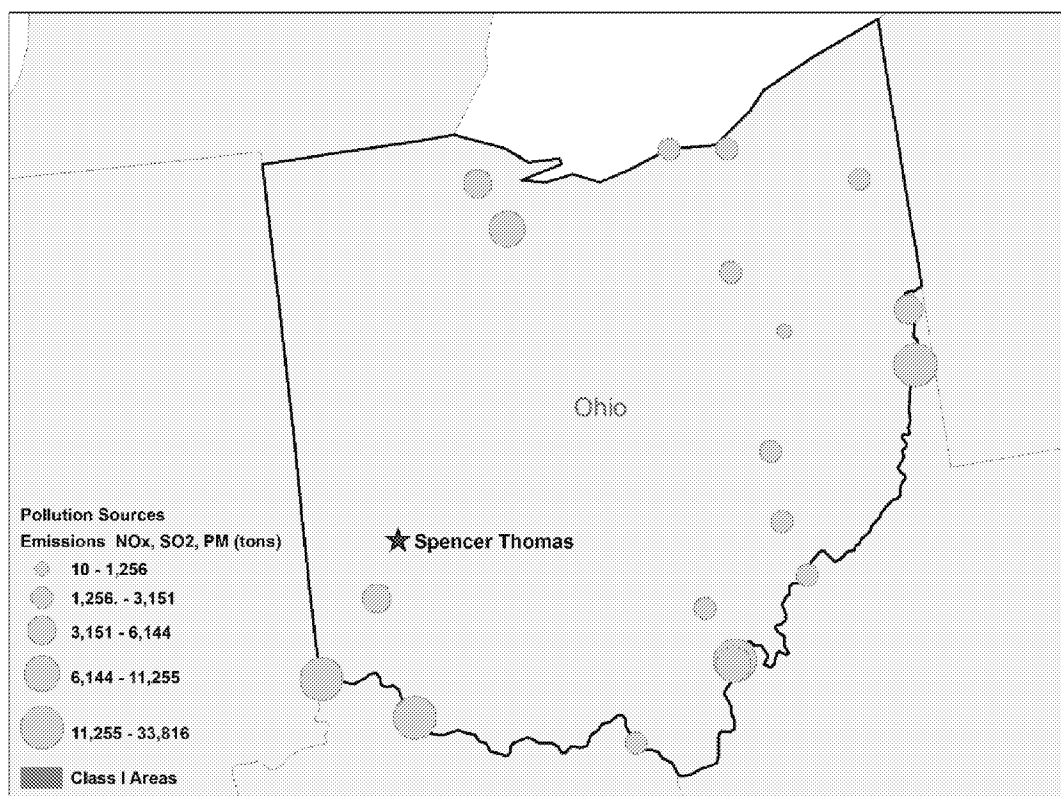


Spencer Thomas

Environmental Justice Intern, National Parks Conservation
Association

stthomas@npca.org

Spencer Thomas is NPCA's Air Team's Environmental Justice Intern. Raised in rural Southwest Ohio, he found a passion for the environment at a young age. Spencer is currently earning a Bachelor of Science in Earth and Environmental Science at Wright State University in Dayton, Ohio.



Ohio's Class 1 Areas and Pollution Sources of Concern

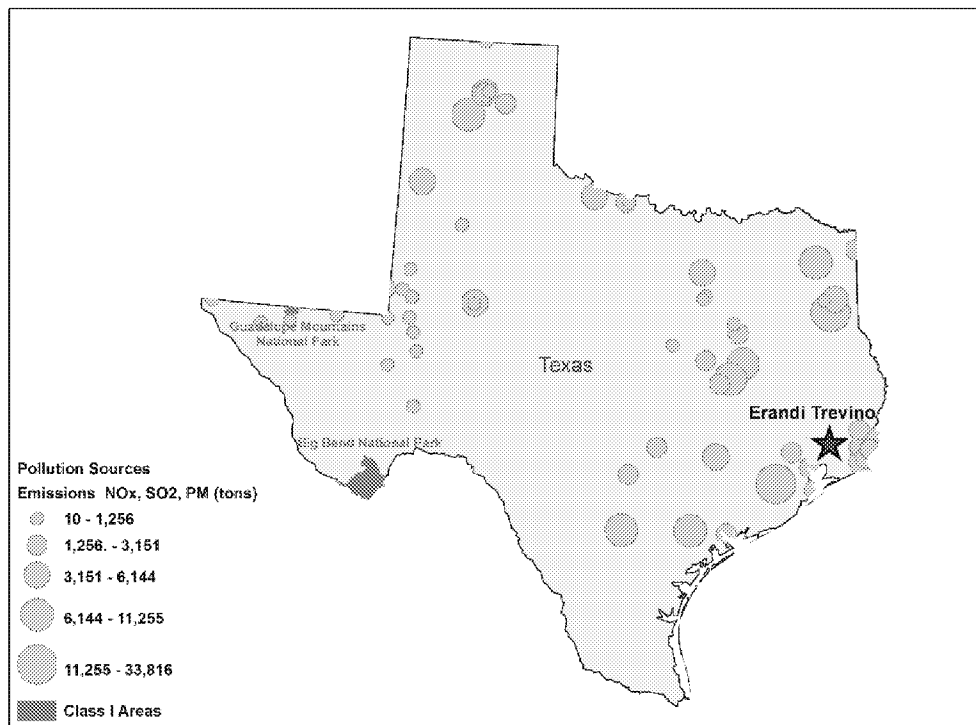


Erandi Treviño

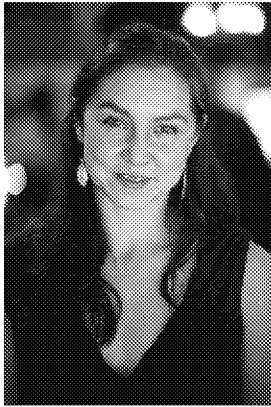
State Organizer, Texas Chapter EcoMadres

etrevino@momscleanairforce.org

Erandi Treviño is a passionate environmentalist and equity and inclusion advocate with years of experience working in public policy. Before joining Moms Clean Air Force, she was a government relations policy assistant in Washington, DC, where she worked on education policy, nutrition, and financial regulations. During her time in DC, Erandi served as the Advocacy Fellow for the Fulbright Association and volunteered for the Congressional Hispanic Caucus Institute. Earlier in her career, Erandi assisted the Permanent Representative of Mexico to the United Nations in New York. She has degrees in International Relations and Latin American studies from Seton Hall University. Following graduation, she received a Fulbright Grant to teach English in Belo Horizonte, Brazil. While in Brazil, Erandi became fluent in Portuguese. Erandi enjoys working in her garden, practicing yoga, and spending time with her family. She lives in Houston, Texas, and is a remote evening student at Fordham School of Law.



Texas's Class 1 Areas and Pollution Sources of Concern

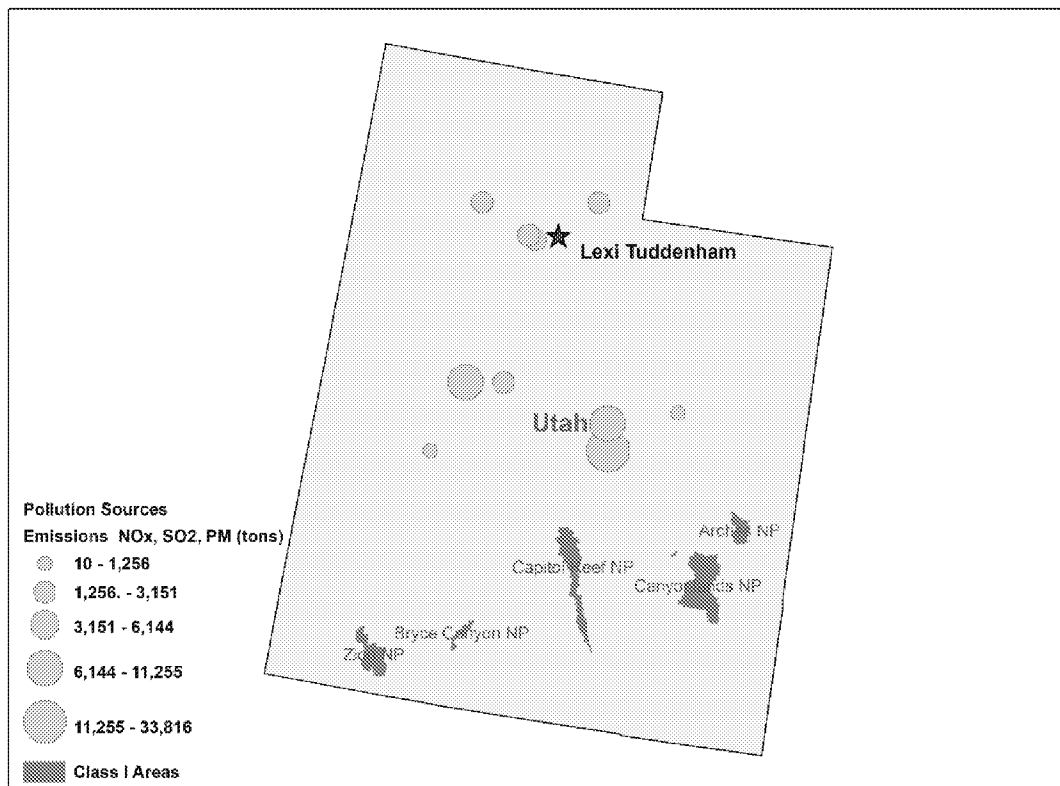


Lexi Tuddenham

Executive Director, Healthy Environmental Alliance of Utah (HEAL Utah)

lexi@healutah.org

Lexi is an advocate for public health and the environment, social justice, and community-based conservation. Since obtaining degrees in biology and environmental management from Harvard and Yale, Lexi has been professionally engaged in building healthy relationships between people and their environment for nearly 20 years. She has lived and worked in China, Nepal, and all over the US from Los Angeles to Bristol Bay, Alaska. From 2016 to 2021 she served as the Executive Director of Sheep Mountain Alliance, a mountain west conservation organization based out of Telluride, CO. She joined HEAL UT as its Executive Director in January 2022.



Utah's Class 1 Areas and Pollution Sources of Concern

National Parks Conservation Association Staff

Theresa Pierno
President & CEO
tpierno@npca.org

Lilly Anderson
Southeast Clean Air Coordinator
landerson@npca.org

Stephanie Kodish
Senior Director and Counsel
Clean Air and Climate Programs
skodish@npca.org

Natalie Levine
Climate and Conservation Program Manager
nlevine@npca.org

Ulla Reeves
Senior Advocacy Manager, Clean Air Program
ureeves@npca.org

Message

From: Harris, Sincere [Harris.Sincere@epa.gov]
Sent: 2/1/2021 12:48:20 PM
To: Goffman, Joseph [Goffman.Joseph@epa.gov]
CC: Mercado Violand, Fernando [MercadoVioland.Fernando@epa.gov]
Subject: Incoming OAR Appointees
Attachments: Nunez, Alejandra - Ale Núñez-Luna.pdf; Kim Eunjung - Eunjung Kim.pdf

Good morning Joe,

Alejandra Nuñez and Eunjung Kim are joining your office today as Deputy Assistant Administrator for Mobile Sources and Special Assistant, respectively. Attached are their resumes. Their orientation is at 8:30AM and they will likely spend much of the morning getting set up with their technology. I will also connect you on their EPA email accounts.



Nunez, Alejandra -
Ale Núñez-Luna....



Kim Eunjung -
Eunjung Kim.pdf

Sinceré A. Harris
White House Liaison
Environmental Protection Agency
(202) 570-5675

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Ex. 6 Personal Privacy (PP)

EDUCATION

Harvard Law School, Cambridge, MA
Doctor of Juridical Science (S.J.D.), May 2011

Harvard Law School, Cambridge, MA
Master of Laws (LL.M.), June 2003

Instituto Tecnológico Autónomo de México (ITAM), Mexico City, Mexico
Bachelor of Laws (LL.B.), graduated with honors, December 2000

EXPERIENCE

Sierra Club April 2014 - January 2020; July 2020 - present
Senior Attorney, Environmental Law Program

- Led Sierra Club's legal work on corporate average fuel economy (CAFE) and greenhouse gas standards for light- and heavy-duty vehicles. Drafted legal comments on proposed rule; assisted with litigation regarding final rule. Litigated EPA's reconsideration of its mid-term review of the current light-duty standards. Won challenge to NHTSA's delay of applicability of civil penalties for violation of CAFE standards.
- Litigated motion to stay and petition for review of the Clean Power Plan as intervenor in support of EPA. Drafted technical and legal comments on proposed Clean Power Plan, federal plan and model trading rules, Clean Energy Incentive Program, and state implementation plans.
- Advised Sierra Club on legal and policy implications of the United States' withdrawal from the Paris Climate Agreement.
- Co-authored Sierra Club's guidance on carbon pricing, approved by the organization's Board of Directors.
- Provided expert advice to state teams on carbon pricing policies and adoption of California standards.
- Led legal and policy work on environmental justice in climate policies; drafted comments on EPA's EJ 2020 strategy; authored Sierra Club guidance documents on environmental justice and equity.
- Led legal work in connection with hurricane relief and recovery efforts in Puerto Rico after Maria storm.
- Led Beyond Coal Campaign's work in Latin America, providing legal and policy advice to non-profit groups challenging the coal industry and advocating for carbon pricing policies in several countries.
- Chaired GreenLatinos' Working Group on Climate Change (2016-2018), an alliance of green groups, environmental justice, and social justice organizations advocating for strong climate and air rules that benefit Latino communities.

Coalition for Green Capital January 2020 - July 2020
General Counsel

- Reviewed proposed elements of the proposed National Climate Bank Act. Researched and evaluated relevant statutes and regulations, and provided input on proposed legislation.
- Monitored lobbying reporting and limitations for the nonprofit organization.
- Developed key policy elements of a program that would use the Climate Bank to buy-out coal power plants.
- Assisted with coalition-building with environmental, environmental justice, and labor groups.
- Managed the nonprofit organization's legal affairs, including human resources and employment law issues.
- Provided guidance on CARES Act relief to Coalition for Green Capital and American Green Bank Consortium.

American University Washington College of Law January 2017 - May 2018
Adjunct Professor

- Taught "Advanced Energy Law," with a focus on climate change regulations, renewable energy, and energy efficiency.

The World Bank, Legal Vice Presidency

September 2012 – April 2014

Associate Counsel, Finance, Private Sector Development, and Infrastructure

- Prepared comments to draft power purchase agreements for solar energy project in Morocco and natural gas project in Senegal; reviewed RFP and draft project agreements for coal project in Kosovo.
- Prepared comments to client countries' proposed legislation, including a bill to create a national infrastructure fund in Paraguay and omnibus industry law in Indonesia.
- Drafted memoranda on private sector-related legal issues raised in World Bank's internal policy documents, including on the application of Bank policies on environmental impact review to technical assistance projects, and on Bank's support for public-private partnership (PPP) projects in the water, energy, and telecommunications sectors.
- Prepared reports and toolkits on rural water supply PPPs, airport privatization, natural gas industry PPPs, and corporate governance of state-owned enterprises, with an emphasis on oil companies.

Morrison & Foerster LLP, San Francisco, CA

April 2010 - September 2012

Associate, Environment & Energy

- Prepared memoranda on various issues of federal and California environmental and energy law, including public trust doctrine, IUU fishing, endangered species, coastal zone management plans and sea level rise, environmental impact review, and large generator interconnection procedures for solar projects.
- Prepared legal memoranda and persuasive letters on federal airport law issues, including rates and charges and revenue diversion in connection with fuel supply leases, arrangements for fuel supply provision at major hub airports, guidelines for solar energy development, and lease and use agreements.
- Supported senior attorneys in the drafting and negotiation of lease and use, and concession agreements in a major airport privatization transaction in the United States; assisted in the review of related agreements in connection with a bid for the concession of three large airports in Brazil.
- Represented The Nature Conservancy in connection with a carbon project in an Amazonian national park and a land conservation project in northern Kenya.

World Water Assessment Programme, UNESCO, Paris, France

July 2005 - December 2005

Research Intern

- Co-authored chapter of the World Water Development Report 2 (on water pricing and public-private partnerships in water supply and sanitation), presented in the 4th World Water Forum.

Stanford University, Palo Alto, CA

November 2003- July 2004

Research Fellow, Program on Energy and Sustainable Development

- Prepared study on economic, legal, and political issues affecting private investment in independent power production projects in Mexico.

PUBLICATIONS

- Statutory Framework Underlying Exxon Investigations by the Attorneys General of New York and Massachusetts (with Joanne Spalding), in American Bar Association, Section of Environment, Energy, and Resources, Vol. 13, No. 3 - August 2017.
- "Is the Public Trust a Viable Mechanism to Regulate Climate Change?" (with Edgar Washburn), NATURAL RESOURCES AND ENVIRONMENT, Volume 27, Issue 2 (American Bar Association, 2012).
- "Riding the Wave: Confronting Jurisdictional and Regulatory Barriers to Ocean Energy Development" (with Danielle Murray, Christopher Carr and Jennifer Jeffers), 5 GOLDEN GATE UNIV. ENVTL. L. J. (2011).
- "Valuing and Charging for Water" (with Deanna Donovan), in WATER: A SHARED RESPONSIBILITY. THE UNITED NATIONS WORLD WATER DEVELOPMENT REPORT 2, Chapter 12, United Nations' World Water Assessment Programme, March 2006).

VOLUNTEER EXPERIENCE

Volunteer Board Member, Clean Energy Credit Union (appointed on October 26, 2020).

Message

From: Hooper, Daniel [hooper.daniel@epa.gov]
Sent: 3/11/2022 9:44:35 PM
To: Goffman, Joseph [Goffman.Joseph@epa.gov]
CC: Campbell, Ann [Campbell.Ann@epa.gov]; Kim, Eunjung [Kim.Eun@epa.gov]
Subject: READING: Materials for Monday, March 14
Attachments: 2022 03 14 OAR Briefing Memo_Oil and Gas CAA 111 Supplemental Proposal_Early Guidance .docx; Oil and Gas Sector_03.14.22_EG_AO.pptx; for review: Energy Star certified plants press release; REVIEW - Administrator Budget Hearing Sheets; RFS Annual Rule Preamble for OAR review; RE: HFC Task force materials for OAR IO; Materials for Joe for NEJAC meeting Monday; Materials for Monday OGC Meeting

Additional materials:

- For review: Energy Star certified plants press release (review by COB Monday) – 1 email
- For review: Administrator Budget Hearing Sheets (review by 9 am Monday) – 1 email
- For review: RFS Annual Rule Preamble (review by COB Wednesday) – 1 email

Goffman, Joseph Calendar

Goffman.Joseph@epa.gov

On Monday, March 14, 2022







Time zone: (UTC-05:00) Eastern Time (US & Canada)

(Adjusted for Daylight Saving Time)

March 2022






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












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6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

 Busy	 Tentative	 Free
 Out of Office	 Working Elsewhere	 Outside of Working Hours

March 2022

▲ Mon, Mar 14

	Before 8:00 AM	Free
	8:00 AM – 9:00 AM	Free
	9:00 AM – 9:25 AM	Management Roundtable
	9:25 AM – 9:30 AM	Free
	9:30 AM – 9:55 AM	Air Issues Meeting

	9:55 AM – 10:00 AM	Free
	10:00 AM – 11:30 AM	HFCs Taskforce Meeting (1 email)
	11:30 AM – 11:55 AM	OAQPS Weekly
	11:55 AM – 12:00 PM	Free
	12:00 PM – 12:30 PM	Lunch/Management Time
	12:30 PM – 1:00 PM	EPA/NHTSA Discussion
	1:00 PM – 1:30 PM	NEJAC (1 email)
	1:30 PM – 2:00 PM	Bi-Weekly with OAR/OCSP
	2:00 PM – 3:00 PM	Senior Staff Meeting
	2:45 PM – 3:00 PM	Video-call: Pre-Meeting with OAR
	3:00 PM – 3:45 PM	Video-call: Clean Air Act Section 111 Oil and Natural Gas Early Guidance (1 word doc, 1 ppt)
	3:45 PM – 4:00 PM	Free
	4:00 PM – 4:30 PM	Invitation: Swearing-In Ceremony for Wendy Lynn Blake
	4:30 PM – 5:00 PM	Regulatory Planning and Process for 2022 (1 email)
	5:00 PM – 5:30 PM	Wood Stoves Enforcement / Standards Discussion
	After 5:30 PM	Free

Daniel Hooper
 Assistant Chief of Staff
 Office of Air and Radiation, US EPA
hooper.daniel@epa.gov
 202.343.9167 office

Pronouns: He/Him/His

NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL

NEJAC Member Biographical Summaries

November 2021



CHAIR

Orduño, Sylvia

Michigan Welfare Rights Organization

Sylvia Orduño has been a community organizer with MWRO for over 25 years and is a strong advocate for the rights of poor and low-income residents. She has served on many governmental, academic, and philanthropic advisory boards and committees promoting policies and legislation for the basic needs of low-income people, particularly on water, energy and housing affordability and environmental justice protections.

She co-organized the U.S. Social Forum in 2010 in Detroit, has presented at several state, national and international forums on water justice, and facilitated dozens of panels, presentations, and convenings on community rights, water infrastructure, and centering the voices of impacted residents. Ms. Orduño is a convenor with the People's Water Board, a coalition of three dozen Michigan environmental, social justice and faith-based groups actively working on water affordability and the human rights to water and sanitation; is a co-coordinator for the National Coalition for Legislation on Affordable Water; a member of the Michigan Environmental Justice Coalition and the Water Is Life Coalition joining Michigan and Ontario, Canada grassroots communities on Great Lakes issues.

Additionally, Ms. Orduño serves as an appointee to the EPA's Great Lakes Advisory Board and the inaugural Michigan Environmental Justice Advisory Council.



VICE CHAIR

Osborne Jelks, Na'Taki

West Atlanta Watershed Alliance and Proctor Creek Stewardship Council

Dr. Na'Taki Osborne Jelks is Co-Founder and Board Chairperson of the West Atlanta Watershed Alliance (WAWA). WAWA is a community-based organization of residents in Northwest and Southwest Atlanta's Proctor, Utoy, and Sandy Creek Watersheds who are overburdened with environmental stressors and pollution but are often underrepresented at environmental decision-making tables. WAWA was established as result of community efforts to halt discriminatory wastewater treatment practices in West Atlanta, and it has grown to become an impactful force in community-centered sustainable development. Many call Jelks a "Watershed Warrior". Under her leadership, WAWA has led community efforts for 14+ years to clean up, protect, and restore Proctor Creek, one of Metro Atlanta's most impaired waterways.

Dr. Jelks was heavily involved in WAWA's work with other community-based organizations to establish the Proctor Creek Stewardship Council (PCSC), a grassroots organization that engages Proctor Creek residents in community-driven, collaborative problem-solving processes, along with government, academia,

and other stakeholders, to identify innovative, community-engaged approaches for environmental restoration of the watershed and its people. Jelks served as one of two founding Co-Chairs of the Council. As a part of Atlanta's Water Equity Task Force, she works to connect water burdened neighborhoods and residents threatened by gentrification to workforce development opportunities in green infrastructure. Jelks' and WAWA's community-driven advocacy to advance water equity issues in Atlanta were critical in the U.S. Environmental Protection Agency's decision to invest in the Proctor Creek as an Urban Waters Federal Partnership Site. Jelks has championed community science initiatives in which she trains West Atlanta residents to be watershed researchers who monitor water quality and investigate local environmental conditions; giving them actionable data to press for solutions to urban watershed and community health challenges. When she's not trying to transform toxic landscapes into healthy communities, Dr. Jelks works to teach and train the next generation of environmental health professionals and environmental justice advocates as an Assistant Professor in the Environmental & Health Sciences Program at Spelman College.



VICE CHAIR

Tilchin, Michael
Jacobs Engineering

Mike is a senior environmental consultant for Jacobs Engineering. He served as Jacobs' U.S. EPA Client Account Manager for more than 20 years. Under Mike's leadership, Jacobs had a major role in the clean up several hundred Superfund sites. In addition to supporting Superfund cleanups, the company serves EPA's brownfields, water security, water infrastructure, research and development, and sustainable community programs.

Mike is the co-vice chair of EPA's National Environmental Justice Advisory Council (NEJAC) and chaired the NEJAC Superfund Working Group that prepared NEJAC's report, Superfund Remediation and Redevelopment for Environmental Justice Communities, with in-depth strategies and recommendations for how to make the Superfund program more responsive and effective in protecting overburdened and underserved communities affected by toxic and hazardous waste sites.

Mike is a member of the American Society of Civil Engineers (ASCE) and served on ASCE's Committee on America's Infrastructure. Mike was the lead author for the Hazardous Waste Infrastructure section for ASCE's America's Infrastructure Report Card- 2021. Mike now serves on ASCE's Public Policy Committee.

Mike is active with the American Council of Engineering Companies (ACEC) and has a leadership role in ACEC's Remediation Work Group's RWG's ongoing efforts to improve cleanup actions under Superfund.

Mike serves on the Board of Directors of the Anacostia Watershed Society (AWS), and was the AWS Board Chair from 2010 - 2013. AWS works with communities, the private sector, and all levels of government to restore what was among the most polluted urban rivers in the country and is now on a path to becoming fishable and swimmable within several years. Mike served on the Board of Directors of the CH2M HILL Plateau Remediation Company at the Department of Energy site in Hanford, Washington from 2013- 2019. Mike attended Harvard University and received a B.S. in Geology from the University of Michigan, and an M.S. in Biological and Agricultural Engineering from North Carolina State University. He is a professional engineer licensed in the State of Virginia, certified as a LEED

Green Associate, and is an Adjunct Professor in the Department of Natural Resources Science at the University of Rhode Island.

OTHER MEMBERS



Baptiste, April
Colgate University

April Karen Baptiste is currently a Professor of Environmental Studies and Africana and Latin American Studies at Colgate University. Her research interests lie at the nexus of environmental psychology and environmental justice. Her projects have explored the worldviews to environmental problems in the Caribbean with a focus on marginalized populations like fishers'. Her current research project examines the characteristics of environmental movements across the Caribbean region, seeking to understand whether environmentalism can be view through the lens of decolonization. Ms. Baptiste received her PhD from State University of New York, College of Environmental Forestry in Environmental policy, a Master of Science in Science for the Management of Tropical Environments from the University of the West Indies St. Augustine, Trinidad and Bachelor of Science in Chemistry and Management from the University of the West Indies, St Augustine, Trinidad.



Barreto, Brenda Torres
San Juan Bay Estuary Program

Brenda Torres Barreto is a professional in the field of sustainability with vast experience in environmental management, corporate social responsibility and public policy development through empowerment and multisector alliances. She has excelled in leadership positions in Puerto Rico and the United States. Her professional career has led her to be part of Governor Andrew Cuomo's executive team as Assistant Secretary for the Environment of the State of New York. It was there that Torres Barreto advised Governor Andrew Cuomo on environmental policy and had the opportunity to develop the state environmental justice platform in New York. Prior to working in the governor's office, Brenda led the efforts of the Commonwealth of Puerto Rico in the Northeastern United States. From this position, she represented the interests of Puerto Ricans on the Island and Puerto Ricans in this region of the US facing federal agencies, state and municipal governments. Among the initiatives promoted during this period is the development of the Puerto Rican Creative Network and the National Puerto Rican Agenda.

Brenda oversaw the federal and state efforts for the revitalization and sustainability of Vieques and for the dredging project in the Caño Martín Peña. Currently, Brenda serves as Executive Director of the San Juan Bay Estuary Program, an initiative focused on the restoration of water bodies in the metropolitan area of Puerto Rico, and part of the National Estuary Program partly funded by the USEPA. Through the Estuary Program, Torres Barreto coordinates multi-sector efforts, empowers citizens to be part of the restoration process and ensures the well-being of residents of the metropolitan area.

In the past, Brenda has advised government, business and community leaders in the application of sustainability practices in their social and economic projects. Brenda is the founder of the Latino Climate Action Network, which allows emerging leaders to take part in the discussion on climate justice by preparing them to evaluate and propose policy briefings. Torres Barreto also led the community revitalization effort in Williamsburg, Brooklyn through a comprehensive program called the "Green Light District."

Brenda's passion is the management of non-profit organizations for the conservation and restoration of habitats. In California, Brenda served as the Executive Director of the Audubon Society's third largest chapter in this state, serving 4,000 active members and more than 100 volunteers. Ms. Torres Barreto also worked as a public policy analyst for the United States Forest Service in Washington, DC, where she evaluated mechanisms for the ecosystem assessment of national forests in the western United States. She has served in numerous forums by providing policy advice on major restoration projects and social projects in California, New York and Puerto Rico. Brenda co-chairs the Climate Strong Island Network, a coalition of U.S. island entities that work across sectors and geographies in the continental US and the nation's states and Caribbean and Pacific territories to address the vulnerabilities and risks in the face of climate change. She collaborates with the Puerto Rican diaspora through her volunteer work at the Roundtable of the Center for Puerto Rican Studies at the City University of New York Hunter College. Brenda is an Op-Ed contributor to local newspapers. Brenda is a LEED Accredited Professional for the development of green buildings. She received a BS in Environmental Sciences from the University of Puerto Rico and a Master's degree in Environmental Management from the Yale School of the Environment. She is currently pursuing a doctoral degree in Integrated Water Resource Management from the University of Puerto Rico.



Beltran, Felicia
Arizona Department of Transportation

Felicia Beltran is a Civil Rights Compliance Manager at the Arizona Department of Transportation's (ADOT) Civil Rights Office (CRO) and oversees the Title VI, Environmental Justice (EJ) and External EEO Contractor Compliance programs. In April of 2016 she started her work in the CRO, prior to that she worked in public involvement at ADOT and at the Arizona Department of Environmental Quality (ADEQ). Her environmental justice experience started in 2007 as a Community Involvement Coordinator at the ADEQ where she executed public involvement requirements for groundwater, air quality and soil contamination at NPL Superfund and local Water Quality Assurance Revolving Fund (WQARF) sites. In this position she also facilitated Community Advisory Boards. She worked closely with EPA staff at Region 9 to ensure that participation barriers were eliminated specifically for impacted low-income and minority groups.

Once at ADOT and in her role as a public involvement practitioner she served as a liaison between the public and ADOT to ensure that the public had opportunities to provide meaningful input on ADOT transportation projects. Building on her work with ADEQ she was able to expand and sharpen her skills as a EJ practitioner in the field of public involvement and became more aware of the historic

environmental disparities specifically to low-income and minority populations when they are not a part of the decision-making process for proposed projects within the community.

Now in her current position as a Civil Rights Compliance Manager she is most passionate about the opportunities to educate ADOT employees and management on ADOT's civil rights responsibilities. Her primary focus is to prevent discrimination from happening and to eliminate it when it does.



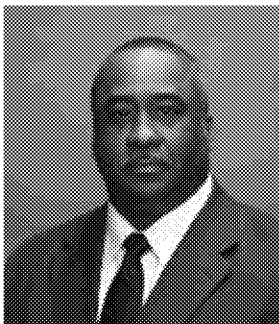
Britt, Joy

Alaska Native Tribal Health Consortium

Joy Britt was born and raised in Guam. Being raised on an island located on the ring of fire, she is no stranger to the effects of nature's most destructive forces, including earthquakes and typhoons and the effects of environmental impacts to human health. Three years of her adolescence was spent without running water or power due to severe storms and latent repairs to the island's infrastructure. She lived in third world country conditions but witnessed others much worse off. Such early experiences observing the need for access to healthcare led to her obtaining her MPH and her current line of work.

Joy is the Senior Program Manager of the Alaska Native Tribal Health Consortium's Contamination Support Program. She is accountable for all aspects of project planning, grant writing, funding, and implementation of various projects, including, the Brownfields Tribal Response Program (TRP), the national contract with Kansas State University for Tribal Technical Assistance to Brownfields, and the Rural Alaska Monitoring Program.

Joy also participants in research and data dissemination of food security projects within the Bering Straits and consults on scientific and technical issues that arise through community concerns and as a contributor to the Local Environmental Observer Network and the Tribal Brownfields Forum. She provides collaborative technical assistance to 29 Tribal Response Programs throughout Alaska, all Alaska Tribes, and requesting statewide entities.



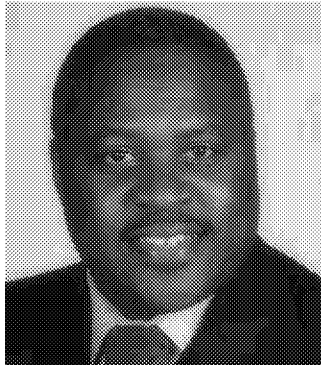
Bryson, Charles

City of St. Louis Civil Rights Enforcement Agency

Charles Bryson have served in various aspects of Human Service; from a Case Worker and Case Manager at various programs for persons who were homeless in Baltimore, St. Louis and Springfield Il., to the Director of a Head Start in Springfield Il and Executive Director of a Head Start Program in Peoria Il. He also held various positions in State and City government, including Area

Representative for the Missouri Housing Development Commission, Neighborhood Development Executive, and Senior Policy Advisor and Director of Department of Public Safety under former City of St. Louis Mayor Francis G. Slay and Director of the Civil Rights Enforcement Agency under both Mayor Slay and current Mayor Lyda Krewson. Finally, He sit on the Board of Earthday365, and

environmental group that focuses on ways residents and businesses can play a role in addressing environmental issue every day.



Carroll, Sr., Ambrose
Green the Church

Reverend Dr. Ambrose F. Carroll, Sr. is pastor of Church by The Side of The Road in Berkeley, CA. He is the Moderator of the Home & Foreign Mission District Association and Vice President at Large of the California State Baptist Convention. Dr. Carroll is also a commissioned chaplain in the United States Navy Reserve.

Prior to joining Church by The Side of The Road, Dr. Carroll served as the youth and young adult pastor of Third Baptist Church in San Francisco; senior pastor of the St. Paul Tabernacle Baptist Church of San Francisco; and senior pastor of the New Hope Baptist Church of Denver, CO. In 2009, Dr. Carroll & Carroll Ministries International founded Greenthechurch.org, which is the largest repository and catalyst for environmentalism and sustainability for the Black church globally.

Dr. Carroll earned a Master of Divinity from Morehouse School of Religion in Atlanta GA, a Doctor of Divinity from United Theological Seminary in Dayton Ohio, and a Master of Business Administration from Golden Gate University in San Francisco, CA. He is married to Katresa Williams, and they have three children.



Clow, Scott
Ute Mountain Ute Tribe

Scott Clow studied environmental science and chemistry in college-with an interest in analytical chemistry, he entered the environmental testing industry in the early 1990's. I worked in analytical laboratories in various capacities spending the last two years of lab work doing gas chromatography on drinking water samples- for VOC's and SOC's. Upon the closure of the laboratory, he worked and learned of an opportunity to work for the Ute Mountain Ute Tribe in southwest Colorado as a Water Quality Specialist. He held the position for 12 years, monitoring surface and groundwater quality, helping the Tribe gain jurisdiction to regulate surface waters, developing a groundwater protection plan and nonpoint source management plan, assisting in some drinking water monitoring and operations and wastewater monitoring and operations, writing grants, and various other work that was requested. When the opportunity presented itself to become the Director of the department he applied and got the position. Scott has been the department director for the last 13 years. In this capacity, he manages a staff that includes water quality, air quality, brownfields, biology, and other various environmental initiatives. We are fully grant funded and bring in several hundred thousand dollars per year to fund our program. Over the years Scott has become more passionate about the Tribe's environmental issues and worked hard to garner the resources and experts to address them. Some include oil field pollution, pollution from a uranium mill adjacent to the Reservation, surface water pollution from various sources, drinking water and wastewater infrastructure expansion, drinking water

treatment and Safe Drinking Water Act compliance assistance, solid and hazardous waste management, and development of a biology program to help with wildlife, habitat and species management including threatened and endangered species. Scott represents the Tribe on the Regional Tribal Operations Committee of EPA Region 8 tribes and is currently the Vice-Chair of the National Tribal Caucus. He has served as an alternate on the National Tribal Science Council, serve on the Board of Directors of two local not-for-profit organizations, volunteered for the Lower Dolores River Working Group, and was awarded a Citizen of the Year award in the community.



Colon de Mejias, Leticia
Green Eco Warriors

Leticia Colon de Mejias is a nationally awarded energy equity speaker, building scientist, author, educator, workforce development leader, and energy equity policy expert.

She is the Founder and President of Green Eco Warriors, an award-winning nonprofit, educational, and research organization focused on environmental conservation, environmental justice, sustainability, and the empowerment of youth and families. Through this organization, she has provided culturally aware climate and energy education, reclaimed wetlands, and created a Wetland Walk which increased the access to wetland areas for communities of color. Leticia focuses on the interconnectedness of air, water, land, and human life.

Leticia is an awarded published author; her books and tools focus on environmental leadership, sustainability, EJ, and she created a line of educational science-based graphic texts which feature a cast of diverse superheroes and align with national science standards (NGSS). These books and the programs connect low-income communities to scientific information on climate change, energy, civics, food, water, and Environmental Justice.

She is the founder of the nationally awarded company Energy Efficiencies Solutions. Her companies have provided energy efficiency assessments and upgrades to over 14,000 households and completed full energy efficiency retrofits in over 10 million square feet of multifamily housing.

She is the Founder and Co-Chair of Efficiency For All, a nonprofit whose workforce programs create local jobs which lead to a stable income, create resilience in families, and develop generational wealth in low-income communities. EFA also collects and reflects energy equity policy, planning reports, and information to keep stakeholders and leaders informed on community impacts. EFA advocates for the stabilization and expansion of local and national Energy Efficiency and renewable programs which protect human health and the environment, provide local jobs, increase positive economic outcomes, and reduce short-term and long-term energy costs while protecting human health.

She is the recipient of many national awards, including the United States of America's Department of Energy Award for work with at-risk and minority populations, National Award Building Scientist Hall of Fame, Minority Small Business of the year award, National Department of Education award.

Leticia has many appointed and volunteer roles including the Policy Co-Chair of the National Building Performance Association, Chair of Latino and Puerto Rican Affairs on the Commission for the state of

Connecticut Commission on Women Children Elderly Latino & Puerto Rican Affairs, member of the Governor's Workforce Council in the Office of Workforce Strategy, and a member of the Minority Initiative Board where she advocates for equity issues and Climate Justice, transportation as well as diversity and inclusion. She provides input in several other local state agencies and local nonprofits and has served as an advisor on many state and local Commissions.

She has been called to give expert testimony to Congress on Climate Change, Workforce Development, and Green Energy Careers, and Small Business. Leticia has also raised and supported important legislation including but not limited to the PFAS bill (CT Bill No. 926) which was signed into law in June of 2021, Healthy Homes HB 356 in the state of Connecticut in the 2021 legislative session. Her work focuses on lifting the voice of the underrepresented, disconnected, and disparaged, as she seeks to empower them in the fight for survival.

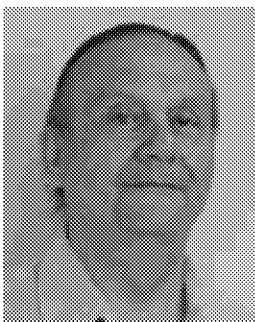


de Aztlán, Cemelli
La Mujer Obrera

Cemelli de Aztlán, born and raised in El Paso has been engaged in community organizing, advocacy and non-profit work throughout her career. As a community organizer with La Mujer Obrera, working alongside residents, parents and youth to organize in the barrio to address the systemic exploitation of low-income, Spanish-speaking, immigrant neighborhoods on the border.

There is a great divide in the city of El Paso that excludes communities like Barrio Chamizal. Our geographic boundaries are defined by environmental hazards; our neighborhood sits north of an international bridge and east of an interstate with heavy truck traffic, west of an industrial waste facility and train tracks and south a major highway, I-10. The divide is not only geographical, but political. We seek to create a dignified, sustainable, and empowering alternative rooted in justice.

Cemelli received her Bachelor of Arts in English & Religion from Concordia University at Austin, and her master's in divinity with a focus on Women in Religious Studies & Indigenous Religious Studies from Harvard University.



Doyle, John
Little Bighorn College

John Doyle was born, raised and continues to live in Crow Agency, in the heart of the Crow Reservation. He is an enrolled Tribal member and has dedicated his life to addressing environmental and social justice concerns for his people, beginning with serving as a County Commissioner for 24 years, the Director of the Tribal Water and Wastewater Authority for 15 years and continuing after his retirement to serve through co-founding and co-leading multiple community organizations dedicated to improving Tribal environmental health, youth environmental literacy and community development.

John Doyle is currently employed with Little Big Horn College and Montana State University conducting collaborative environmental health research with the Crow Tribal community, under the guidance of the Crow Environmental Health Steering Committee. John Doyle has devoted his life to helping his people,

the Crow Tribe, and in the past ten years has become active in Tribal environmental health on a national level.



Edwards, Jabari O.

J5 GBL, LLC

Jabari O. Edwards, Sr. is a native of Columbus, Ms. He is the owner of J5 GBL, LLC, a project management firm, majority owner of The Bridge Group, LLC, an insurance brokerage firm, BH Properties, and North Atlantic Security Company. Having established personal and professional relationships throughout the United States, Jabari's focus is growing his organizational brand on a national and global level.

Jabari began his entrepreneurial career in January 2000, with the opening of an insurance agency. He was co-owner of H&E Construction, a minority owned company that focused on residential and small commercial projects. He has a proven track record of managing people and the timely delivery of projects. Upon the formation of The Bridge Group (larger clients include MGM Mirage, United States Secretary of State Global Embassy Arts, Southern Company) in 2007 (purchased from Wells Fargo), Jabari worked to build a relationship with Aon (the largest insurance brokerage and consulting firm in the world), and from there worked with management a team in Chicago to build Cornerstone Innovative Solutions (a division that partners and mentors minority firms). In 2010, Jabari worked with the CEO's of Wells Fargo global brokerage Dave Zuercher and Neal Aton, along with Anne Doss (head of banking relationships) to create a business model for Wells Fargo diversity initiative. In 2012, Jabari worked with Willis executives Kim Waller and Phil Styles to create Willis' business model, Willis Open. Jabari has testified in State of Mississippi hearings about ways to improve minority participation on state funded contracts.

In 2010, Jabari saw the need for a minority firm with scalability in the construction sector, and therefore he started J5 GBL. J5 has served as construction/project managers on many complex projects for many global companies around the country. J5 serves as the ground and building maintenance contract for Southern Company on their Kemper county MS Project, served civil contractor for Kior (biofuel plant located in Columbus, MS). J5, in a contract assignment, serving as the project management firm, has been the first minority contractor in the history of Columbus MS. Ironically Jabari's father, Joe Edwards was the first African American elected official in the history of the city. Jabari's mission is to build a project management firm which combines unparalleled expertise with a commitment to real diversity. Working for the Greenfield Environmental Trust, J5 is now known around the country as one of the premier environmental management and environmental Justice firms in the South-East Region of the United States.

Jabari also served as a director on various boards, including Mississippi Health Trust Fund (appointed by Governor Haley Barbour this board managed and set the budget of the billions in funds received from the tobacco lawsuit), Vice-Chairman of Columbus Housing Authority and Chairman of the Board of Commissioners for the Columbus Utility Board. article was written about this program, in a national utility magazine, and duplicated by other energy providers. Currently Jabari serves on the Board of the Boys and Girls Club, Small Business Capitol Loan Fund Board (formerly the Minority Loan Fund Board), The North Mississippi Board for Regions bank, The Mississippi Business Finance Corporation/ Mississippi Development Bank (appointed by Governor Phil Bryant), and The United States EPA's The National Environmental Justice Advisory Council (NEJAC) (Appointed by EPA Administrator Scott Pruitt in December 2017).

He is married to the former Jewel Sherrod, and they have three children: Tori, Jabari Jr., and Joe. They are active members of Vibrant Church in Columbus, MS. He is active in his community, a Diamond Lifetime Member of the NAACP. He and Jewel started their non-profit Bubba's Hope to further their commitment to honor Jabari's father, Joe, by serving and help the less fortunate around the country.



Fritz, Jan

University of Cincinnati, University of Johannesburg and University of South Florida

Jan Marie Fritz, Ph.D., Certified Clinical Sociologist (C.C.S.), is a Professor in the School of Planning at the University of Cincinnati (USA); a Distinguished Visiting Professor at the University of Johannesburg (South Africa) and a Visiting Professor with Taylor's University (Malaysia). She currently is a Fulbright-National Science Foundation Arctic Scholar in Iceland. She is member of the Executive Committee of the International Sociological

Association (ISA), the lead ISA representative to the United Nations and a Fulbright Specialist (consultant). She is a member of the Mayor's Gender Equality Task Force in Cincinnati, Ohio, editor of Springer's Clinical Sociology book series, a docent at the Harriet Beecher Stowe House in Cincinnati, Ohio and was, for many years, a special education mediator for the state of Kentucky. She has been a Fulbright Senior Research Scholar at the Hungarian Academy of Sciences, a Woodrow Wilson Fellow in Washington, D.C., and a Fulbright Distinguished Scholar in Human Rights and International Studies at the Danish Institute for Human Rights. She has been given Fulbright travel awards to Sweden, the United Kingdom and Poland.

Dr Fritz's work has won a number of awards including the Ohio Mediation Association's Better World Award and the American Sociological Association's Distinguished Career Award for the Practice of Sociology. Her publications include: *Moving Toward a Just Peace: The Mediation Continuum*; *Community Intervention: Clinical Sociological Perspectives*; *International Clinical Sociology*; "Cities for CEDAW: Notes on Effective Intervention," "Social Justice for Women and Girls: Global Pacts, Unmet Goals, Environmental Issues", "Environmental Injustice and Incarceration: Notes from the United States" and "Searching for Environmental Justice: National Stories, Global Possibilities."



Ghanta, Venu

Duke Energy

Venu Ghanta is the Vice President of Federal Regulatory Affairs and Environmental Policy at Duke Energy Corporation. Venu leads the company's environmental policy development and engagement strategy with EPA, other key federal agencies, and national environmental organizations. He also provides strategic analysis to senior leadership on the opportunities and risks related to the federal regulation of the utility industry. Venu currently serves as co-chair of Edison

Electric Institute's Air Quality Subcommittee.

Prior to coming to Duke, Venu worked in EPA's Office of Air and Radiation (OAR), where he spent nine years designing and implementing regulations. Venu served as technical lead in developing the Greenhouse Gas Reporting Program, earning an EPA Gold Medal for Exceptional Service. He also was a key member of the Renewable Fuel Standard team, earning the agency's Science Achievement Award. From 2010-2012, Venu served as a Special Assistant to EPA Administrator Lisa Jackson, where he was responsible for obtaining the Administrator's concurrence on all regulations issued by EPA's air office.

Venu served as a Peace Corps Volunteer in Namibia and Nepal. He received a B.S. in Chemical Engineering from the University of Michigan, an M.S. in Chemical Engineering from the University of California at Berkeley, and an M.S. in Environmental Sciences and Policy from Johns Hopkins University.



Harrison, Jill
University of Colorado Boulder

Dr. Jill Harrison is an Associate Professor of Sociology at the University of Colorado Boulder, a position she held since 2011. From 2006 to 2011, she was Assistant Professor of Community and Environmental Sociology at the University of Wisconsin-Madison. She has a PhD in Environmental Studies from the University of California-Santa Cruz (2006) and a BA in Development Studies from the University of California-Berkeley (1997).

Dr. Harrison's research, teaching, and service work focus on environmental justice movements, environmental politics, racial environmental inequalities, racial inequalities in agriculture, and immigration politics. She has conducted research on environmental politics with a focus on environmental justice for 20 years. Her research focuses on identifying the roots of environmental injustice in the contemporary United States and innovative strategies for redressing those harms. She take seriously the concerns of members of environmentally overburdened and marginalized communities; conduct research that helps to make visible, explain, and address the injustices they experience; use my expertise in qualitative research methods to collect data that sheds new light on the forms, scope, and consequences of injustice; draw on my interdisciplinary training in environmental studies to marshal and integrate relevant scientific evidence from many fields of study; and specify regulatory and policy reforms that would help rectify these inequalities. She primarily collected data through in-depth, confidential interviews with regulatory officials, community members, and other key stakeholders; ethnographic observation of government agency meetings and activist events; participation and collaboration with community activists; focus groups with key participants; and, occasionally, structured surveys.

Dr Harrison's projects have focused on political conflict over agricultural pesticide drift and its public health impacts on marginalized farmworker communities, escalations in immigration enforcement and their impacts on immigrant farm workers, and government agencies' environmental justice reform efforts. She teaches undergraduate courses in environmental justice and the sociology of agriculture and food, as well as graduate courses in environmental justice, environmental sociology, and qualitative research methods. She is cofounded a graduate certificate program in Environmental Justice to help train graduate students in EJ and foster a network of EJ scholars at the university. She has served on the Wisconsin Governor's Council for Migrant Labor, as well as the Wisconsin Migrant Coalition, both

appointed volunteer advisory committees. She served as Chair of the American Sociological Association's Environmental Sociology Section, a three-year elected position.



King, Virginia
Marathon Petroleum Company

Virginia M. King is the Director of Sustainability and Stakeholder Engagement for Marathon Petroleum Company (MPC). MPC is a leading, integrated, downstream energy company headquartered in Findlay, Ohio. Previously, Ms. King was the Environmental, Safety, and Security Assistant General Counsel, specializing in environmental justice and the Clean Air Act. She has a Chemical Engineering degree and Law degree from the University of Toledo. She is a patent attorney and has worked in the petroleum industry for over 30 years.

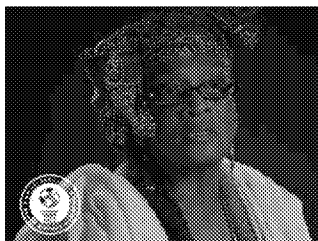


Kricun, Andy
Moonshot Missions

Andrew (Andy) Kricun is a Managing Director with Moonshot Missions, a non-profit focused on providing technical assistance to water utilities in underserved communities. He is also a Senior Fellow with the US Water Alliance working on their national water equity initiative. He is also working as a Senior Advisor at the Water Center at the University of Pennsylvania on various projects related to the Delaware River watershed. He also serves as the chair of the NJ Environmental Justice Advisory Council's water equity committee, and the co-chair of the Jersey Water Works water equity initiative and is a trustee of the NJ Conservation Foundation.

Andy is committed to social justice, with a particular emphasis on water equity. He believes very strongly that everyone, regardless of where they live or what they look like, is entitled to safe drinking water and clean waterways at an affordable rate. He also believes that no community, household or person should be subjected to a disproportionate environmental burden. He hopes to be able to do his part to reduce environmental injustices and is looking forward to serving on the NEJAC to help those who need help the most.

Andy has over 35 years of wastewater and biosolids management experience. He graduated with honors from Princeton University with a degree in chemical engineering. He also holds a professional engineer's license in civil engineering and is a board-certified environmental engineer as well.



McClain, Mildred
Harambee House

Dr. Mildred McClain co-founded and currently serves as the Executive Director of the Harambee House/Citizens for Environmental Justice, a community-based organization whose mission is to build the capacity of

communities to solve their problems and to engage in positive growth and development. The organization was created in 1990, is located in Savannah, GA, and serves communities at the local, state, regional, national, and international levels.

Dr. McClain has been a human rights activists and teacher for over 40 years. She has served on numerous committees, commissions, working groups and boards. She created major partnerships with the Department of Energy, the Environmental Protection Agency, the Agency for Toxic Substances and Disease Registry, the Centers for Disease Control, and many community-based organizations, with the goals of addressing public health and environmental justice issues and concerns. Under Dr. McClain's leadership for the past 27 years, the Black Youth Leadership Development Institute has trained over 3000 young people to serve as leaders in their communities. The goal of the work is to develop the capacity of communities to create lifestyles that promote health, wellness, and environmental sustainability through community gardens, health fairs, testing children for lead poison, and soil testing in contaminated communities.

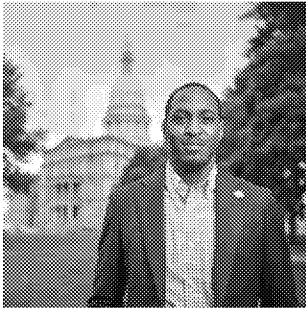
alliance, Los Jardines advocates for stronger, safer, and just chemical policies. Mr. Moore is a recipient of the 2005 Ford Foundation Leadership for a Changing World.



Nagano, Ayako
Common Vision

Ms. Nagano serves as Managing Attorney for Midori Law Group, P.C. and specializes in serving Japanese American seniors. Ayako serves as Secretary of the Board for four 501(c)(3) non-profits: Common Vision, which installs school gardens all across California; Transition Berkeley, a local Transition Town initiative to bring neighbors together to build a more equitable, sustainable, resilient future for Berkeley; and Nippon Kobo, which produces cross-cultural programs by luminaries in the Japanese American community. She also serves on the boards of Transition US, the national hub of the worldwide Transition Town movement fostering just resilience in over 1000 communities worldwide, and Clean Water Fund, the 501(c)(3) arm of Clean Water Action, whose mission it is to protect our environment, health, economic well-being and community quality of life. She also serves as board chair of the NorCal Resilience Network, an organization that plans for community resilience and promotes resilience hubs in the age of climate change.

Ayako also serves on the Steering Committees of the Green Leadership Trust, a coalition of non-profit board members of color, promoting diversity, equity and inclusion within Environmental movement and is also co-chair of ITRC (International Transformational Resilience Coalition) in California, working to build widespread levels of psychological and psycho-social-spiritual resilience for the adversities generated by climate change. She also organizes the local Plastic Reduction Working Group out of the Ecology Center in Berkeley, California.



Orr, Jeremy F.
Natural Resources Defense Council

Mr. Orr is an attorney for the Natural Resources Defense Council. As a member of NRDC's Safe Water Initiative, Mr. Orr focuses on drinking water and source water protection issues, working to ensure that everyone has access to safe, sufficient, and affordable drinking water.

Immediately prior to joining NRDC, Mr. Orr served as the National State Program Director for Peoples Climate Movement where he organized communities throughout the country around climate justice issues. Formerly, Mr. Orr also worked as the Environmental Justice Coordinator for the Transnational Environmental Law Clinic at Wayne State University Law School. In that role, Mr. Orr also served as the Coordinator for the historic Michigan Environmental Justice Coalition. Before joining Wayne Law, Mr. Orr was the Executive Director of the Mid-Michigan Environmental Action Council where he led regional efforts to improve environmental and public health through river protection and restoration, stream monitoring, storm water management, food justice, and environmental justice programming. Additionally, Mr. Orr spent three years as a Community Organizer with the Gamaliel Foundation where he organized around numerous social justice issues including the cleanup of a PCB-contaminated landfill.

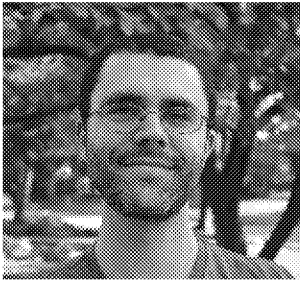
Mr. Orr currently serves a Vice-Chair of the Environmental Justice Committee for the American Bar Association's Civil Rights and Social Justice Section and State Chair of Environmental and Climate Justice for the Michigan State Conference NAACP. Mr. Orr also sits on boards of directors for multiple non-profit. Mr. Orr earned his Bachelor's, Master's, and Juris Doctor from Michigan State University.



Owen, Sofia
Environmental Justice Legal Services (EJLS), Alternatives for Community & Environment (ACE)

Sofia is ACE's Staff Attorney. She works with ACE staff to ensure that the legal rights of people of color and low-income residents are protected. She also provides systematic legislative and regulatory advocacy on behalf of environmental justice communities at the municipal and state level. Sofia comes to ACE from Community Action Works (formerly Toxics Action

Center), where she provided organizing assistance to community groups in Eastern Massachusetts and Rhode Island and built power to address environmental racism, settler colonialism, and other systemic barriers that disproportionately affect communities on the front lines of pollution. Previously, Sofia worked as a Trial Attorney for the Committee for Public Counsel Services. She has a J.D. from Northeastern University School of Law, a Master's in Environmental law and Policy from Vermont Law School, and a B.A. from the University of Pennsylvania. When not at work, Sofia organizes with the Deeper Than Water coalition and volunteers with the Boston chapter of Black & Pink. She enjoys practicing yoga and watching soccer, particularly the US Women's National Team and the Uruguayan national teams.



Pauli, Benjamin
Kettering University

Dr. Ben Pauli is Associate Professor of Social Science at Kettering University in Flint, MI. He holds a Ph.D. in Political Science from Rutgers University (2014). Dr. Pauli has been extensively involved in the response to the Flint water crisis as an activist and researcher. He is the author of *Flint Fights Back: Environmental Justice and Democracy in the Flint Water Crisis* (MIT Press

2019), which examines the role of local water activists in exposing, addressing, and constructing a narrative around the crisis. From 2016 to 2017, Dr. Pauli worked with the Flint Area Health and Environment Partnership on a legionella sampling project funded by the Michigan Department of Health and Human Services. He is the president of the board of the Environmental Transformation Movement of Flint (etmflint.org), a local environmental justice group, and vice-chair of the Flint Water System Advisory Council. Dr. Pauli's water-related research and advocacy interests include issues of water and trust, water governance, environmental justice, and principles of engagement and collaboration in community-based research. On NEJAC, Dr. Pauli serves as a representative of the academic community.



Perry, Jonathan
Becenti Chapter

Jonathan Perry is a member of the Navajo Nation and resides in the community of Becenti located within the Eastern Navajo Agency in northwestern New Mexico. He has dedicated his life to serving his people, protecting communities, and preserving Diné cultural and historical knowledge. Currently Mr. Perry is serving as the Becenti Chapter President, a local leadership position, within his

community; and is considered a Náát'áanii (leader) on the Navajo Nation due to his many years of serving the Navajo people.

Prior to becoming an elected tribal official Mr. Perry was active in many community grassroots organizations ranging from cultural preservation initiatives to the protection of natural resources and sacred areas. Mr. Perry is notably recognized for his work in efforts to address cleanup of areas contaminated from past uranium mining activities on and near the Navajo Nation. As an outspoken advocate for emphasizing the importance of the involvement and voice of communities, he created advisory bodies within the Navajo Nation government to provide opportunity for the public be involved with policy making.

Mr. Perry is a former council delegate of the 23rd Navajo Nation Council where he served on the Law-and-Order Committee, the Resources and Development Committee, and the Navajo Nation Sacred Sites Taskforce; he is also a former member of the Eastern Navajo Land Commission where he worked on land and energy matters concerning communities located in Eastern Navajo Agency; and is a former Becenti Chapter Vice-President



Piazza, Millie

Washington State Department of Ecology

Millie Piazza is the Manager of the Office of Equity and Environmental Justice for the Washington State Department of Ecology. In this role, she works to implement the state's environmental justice law, integrate environmental justice priorities into agency strategy, advance nondiscrimination practices to comply with Title VI obligations, and address equity and justice challenges in Washington. She began her work at Ecology in 1994, designing and conducting the first statewide EJ study. She has broad experience in national and international environmental justice, and currently serves on the Governor's Interagency Council on Health Disparities and the University of Washington Superfund Research Program External Advisory Board. Millie received a Ph.D. from the University of Michigan School for Environment and Sustainability, a Master of Environmental Studies (MES) from The Evergreen State College, and a Bachelors in Sociology from Whitman College.



Shabazz, Jerome

JASTECH Development Services and Overbrook Environmental Education Center

Jerome Shabazz is the founder and Executive Director of JASTECH (Juveniles Active in Science and Technology) Development Services, Inc. A not-for-profit organization developed in 1998, to promote environmental justice; encourage sustainable community development and to promote public health in urban communities. In 2002, JASTECH applied for and received a US Environmental Protection Agency (EPA) grant under the Clean Water Act to establish the Overbrook Environmental Education Center (OEEC), a community-based center dedicated to preserving our built and natural environments.

Under Mr. Shabazz's direction, the OEEC completed a Targeted Brownfields Assessments (TBA) and remediated environmental hazards from a Brownfield site in Western Philadelphia. The OEEC has trained thousands of students on the Clean Water Act and Toxic Substances Control Act, and other topics that reduces human exposure to toxic substances at home and school. The OEEC is nationally known for its Environmental Justice and project-based learning programs.

Prior to working in the non-profit sector, Mr. Shabazz worked for 25 years in Water and Gas utilities. He served as Safety & Training Manager at the Philadelphia Gas Works - LNG Processing Division and was responsible for 49 CFR §193.2713 training in operations and maintenance; trained personnel and contractors on safety issues, codes, regulations, departmental standards, corporate policies and procedures. He also worked in the training, engineering, and operations divisions at the Philadelphia Water Department. Mr. Shabazz is an adjunct professor and educator at both Community College of Philadelphia and Penn State University. In 2017, he was appointed to the PA Department of Environmental Protection's - Citizen Advisory Council and Environmental Justice Advisory Board. He is also a board member on Keep Pennsylvania Beautiful.

Shabazz earned his Master of Science in Environmental Protection & Safety Management from St. Joseph's University and Bachelor of Arts in Organization Management from Eastern University. He has received numerous citations and award, most recently from the PA House of Representatives and City Council of Philadelphia for his commitment to Environmental Justice and Community Development.



Shirley, Jacqueline

Rural Community Assistance Corporation

Jacqueline Shirley born and raised in Alaska, is a Tribal member of the Native Village of Hooper Bay on the Bering Sea coast, is currently employed at Rural Community Assistance Corporation. She provides training and technical assistance to Tribes, nonprofit and local agencies, to improve or develop water, wastewater and solid waste sustainable systems and programs in rural communities across the western portion of the U.S. She obtained her Master of Public Health (MPH) from the University of Alaska, Anchorage. She also

served 18 years in the Army National Guard as a Field Medic. She has spent the past 40 years advocating to improve human and environmental health.



Sprayberry, Karen

South Carolina Department of Health and Environmental Control

Mrs. Sprayberry has worked with environmental justice communities for approximately 22 years; she began working at the South Carolina Department of Health and Environmental Control (SC DHEC) in the Superfund and Voluntary Cleanup Program/Brownfield program as a public participation coordinator. She initially began to work with the ReGenesis and its communities in Spartanburg, South Carolina, shortly after coming to SC DHEC; ReGenesis would later win environmental justice and redevelopment awards because of the over \$250 million revitalization effort conducted within these communities. She attended many community and public meetings and slowly began to build trust with that community and its leaders. When it was time for SC DHEC to oversee work specifically within this community, a foundation of trust and understanding had been instilled so as there was more of a collaborative, problem-solving method instilled between the various parties as the issues were address.

Mrs. Sprayberry now serves as the Special Advisor to the Director of Environmental Affairs at SC DHEC, with her specialty being environmental justice and community involvement; she retired in 2015 and now is a part-time employee. As well as working with the Director, she continues to work closely with the Environmental Justice and Community Involvement Liaisons and other public participation staff within SC DHEC. She has received both internal and external awards for her work at SC DHEC, including receiving a House Resolution from the S. C. House of Representatives in 2015. Another award she is proud of is from 2008, when SC DHEC was awarded the "U. S. EPA Environmental Justice Achievement Award" due to the public participation and environmental justice work conducted both internally and externally by her and her peers. In 2011, Mrs. Sprayberry conducted the "Fundamentals of Public Participation" training during the EPA's Community Involvement and Training Conference. Mrs. Sprayberry has a BA degree in Political Science from Columbia College.



Talley, Pamela

Lewis Place Historical Preservation Inc.

Pamela Talley is an advanced nurse practitioner with a master's degree in nursing and a national certification in adult psychiatric mental health nursing. She oversees both clinic and outreach services to areas that serve the poor and vulnerable, food pantries, libraries, churches, health fairs etc. In 2000, she co-founded Lewis Place Historical Preservation, a community-based nonprofit organization, with two other neighbors. The mission of Lewis Place Historical

Preservation is to save this historic community that was placed on the national registry of historic places in 1979. Since 2009, Pamela Talley has served as the volunteer Executive Director.

In 2007, Pamela Talley was recognized by the Robert Wood Johnson Foundation as a Community Health Leader for assisting grandparents raising grandchildren, many of whom were facing issues of eminent domain and were being displaced. She founded an organization, known as "Grandparents As Parents Support Project". As an awardee, she participated in the group that conducted research on social determinants of health. In 2011, She successfully led neighbors in an effort to drive St. Louis city government with assisting uninsured neighbors with rebuilding their homes after the community was hit by an enhanced fajita scale 1 tornado.

In 2015, Lewis Place Historical Preservation obtained a vacant house from the city of St. Louis on one of the three blocks of Lewis Place and entered a joint venture as a co-developer with an established developer and construction company. The home was completely renovated and sold to a family at an affordable rate. Pamela Talley currently serves as co-chair of a steering committee, a collaborative community group, organized to execute and implement residential development to improve the Lewis Place and Fountain Park neighborhood.



Whitehead, Sandra F.

George Washington University

Sandra is the Program Director for the Sustainable Urban Planning Program. Sandra teaches community-focused classes aimed at improving the health, equity and sustainability of communities. Prior to joining GW, she worked as the Director of Partnership Development at the National Environmental Health Association, the National Association of County and City Health Officials and the Florida Department of Health.

In addition to her work at GW, Dr. Whitehead also works directly with community groups to improve their health and equity outcomes. She has worked across Florida on health impact assessments and implementing Health in All Policies and she has trained over 500 community activists to use the language and tools of public health to change policy.

Message

From: Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]
Sent: 9/29/2021 2:46:30 PM
To: Carroll, Timothy [Carroll.Timothy@epa.gov]
CC: Millett, John [Millett.John@epa.gov]; Conger, Nick [Conger.Nick@epa.gov]
Subject: RE: E&E News Inquiry: EPA appointees' ethics documents

Just tried your mobile number, Tim. I'm at Ex. 6 Personal Privacy (PP) Thanks.

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Carroll, Timothy <Carroll.Timothy@epa.gov>
Sent: Wednesday, September 29, 2021 10:05 AM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Cc: Millett, John <Millett.John@epa.gov>; Conger, Nick <Conger.Nick@epa.gov>
Subject: E&E News Inquiry: EPA appointees' ethics documents

Hi Joe,

I believe you may have already heard, but E&E is working on a story about EPA appointees and their ethics and financial disclosure forms, and you're mentioned in some of the questions, which I've included at the bottom of this email. We're pulled together, in coordination with the Ethics Office, the following statement and background information about the ethical standards and obligations of EPA appointees. We are aiming to share this with the reporters by COB today.

Please let us know if you have any concerns with the statement below, or if there's anything additional you think is important to include. Happy to chat more by phone today if that's easier. Thank you!

Draft response: Maintaining high ethical standards and public disclosure of financial information is in the best interest of the public we serve, and EPA is committed to restoring and maintaining public trust, building a culture of transparency, and ensuring accountability throughout the agency.

In addition to abiding by the high ethical standards required of all employees, all EPA appointees are also required to sign the Biden Administration's Ethics Pledge that sets forth further restrictions. EPA appointees submit public financial disclosure forms to ensure that any potential financial conflicts of interest are addressed. In addition to these obligations, EPA appointees are required to have initial ethics training as part of the onboarding process and annually thereafter and to file periodic transaction reports as necessary.

These ethical standards and requirements are managed by EPA's Ethics Office. Career ethics officials consider the full range of potential financial conflicts, pledge concerns, impartiality concerns, attorney bar obligations and any additional potential conflicts real or perceived. They counsel appointees on these issues and work with them to resolve conflicts appropriately.

All EPA appointees are committed to upholding these ethical obligations and have taken the necessary steps to comply with that commitment, in close coordination with the Agency's ethics officials. Upholding these ethical obligations is crucial as these appointees work to advance this administration's agenda to tackle the climate crisis, advance environmental justice and deliver environmental benefits for all Americans.

On background: EPA ethics officials consider the potential financial conflicts for employees and ensure that ethics laws and regulations are followed. If a person does not own stock over the regulatory exemption level, then the person doesn't have a financial conflict and may participate fully in carrying out official duties.

Depending on the value of the asset and what employees do, they may have a financial conflict of interest. Employees may still participate if they own less than the levels below:

SPECIFIC PARTY MATTER	MATTER OF GENERAL APPLICABILITY
e.g., an enforcement action against ABC Widget Company	e.g., working on a rulemaking that affects all widget manufacturers
≤\$15,000 in ABC Widget Co. itself or in aggregate among all widget manufacturers	≤\$25,000 aggregate in any one widget maker (e.g., ABC Widget Corp. or DEF Widget Corp.)
≤\$25,000 aggregate for any affected non-parties (e.g., DEF Widget Corp. which manufactures a similar product)	≤\$50,000 aggregate in all affected parties (all widget makers)

If employees do not own over the regulatory exemption level or have sold off the asset, then they do not have a financial conflict of interest anymore.

For those appointees who are attorneys, they are subject to the federal ethics laws and regulations, the Biden Ethics Pledge, and to their own bar rules. Generally speaking, those restrictions relate to specific party matters, such as litigation, enforcement actions, permits or contracts in which they previously participated or in which a former employer or former client is a party. Broad policy matters, including rulemaking, are not specific party matters at all. These restrictions do not attach to matters of general applicability.

FROM E&E:

These documents show that on Jan. 21, Mr. Goffman sold at least \$165,000 in shares of Berkshire Hathaway Inc., whose holdings include PacifiCorp, an Oregon-based power producer that operates a half-dozen coal-fired power plants in Utah and Wyoming and has contested stricter regional haze reduction requirements sought by EPA under the Obama administration. On Jan. 22, the records show that Mr. Goffman sold at least \$60,000 in stock in four major oil companies: ExxonMobil Corp.; Occidental Petroleum Corp; Marathon Petroleum Corp. and Chevron Corp., all of which of course are subject to EPA regulation under the Clean Air Act (please see <https://subscriber.politicopro.com/f/eenews/?id=0000017c-2922-dddc-a77e-2db343820000>).

Among the questions we would like to discuss with Mr. Goffman: Why did he purchase stock in oil companies and a major Western producer of coal-fired electricity and how long had he held those shares, given his awareness of the public health and environmental effects of fossil fuel production and consumption? Why did he sell his shares in the aforementioned companies immediately after the inauguration, as was it done voluntarily or at the request of someone in the Biden administration? And as a key player in the administration's policies to improve air quality, combat climate change and advance environmental justice, does he think that his ownership of such shares hurts his credibility or otherwise affects his ability to successfully advocate for those policies?

Further, Joe Goffman and his family received several certificates of divestiture (please see <https://subscriber.politicopro.com/f/eenews/?id=0000017c-28dc-db91-affd-f9dcdcb60000>; <https://subscriber.politicopro.com/f/eenews/?id=0000017c-28e0-d9ff-a9fc-3fecf76c0000>; <https://subscriber.politicopro.com/f/eenews/?id=0000017c-28e1-dddc-a77e-2df3a10a0000>;

<https://subscriber.politicopro.com/f/eenews/?id=0000017c-28e2-d9ff-a9fc-3fee4ccb0000>; and
<https://subscriber.politicopro.com/f/eenews/?id=0000017c-28e2-db91-affd-f9fae15a0000>).

Tim Carroll (he/him)
Deputy Press Secretary
Environmental Protection Agency
202-384-7510 (mobile)
Twitter: [@EPAPressOffice](https://twitter.com/EPAPressOffice)

Message

From: Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]
Sent: 6/21/2021 4:34:47 PM
To: Clarke, Victoria [clarke.victoria@epa.gov]
Subject: RE: Appreciated by COB June 22: Identification of EPA's Expertise on Semiconductor Manufacturing Processes

Thank you, Victoria, for the prompt response. Speaking of "When OGE issues its Certificate of Divestiture" Any hope there? Thanks.

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Clarke, Victoria <clarke.victoria@epa.gov>
Sent: Monday, June 21, 2021 11:39 AM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Subject: RE: Appreciated by COB June 22: Identification of EPA's Expertise on Semiconductor Manufacturing Processes

Hi Joe,

Yes, you will have to recuse. Remember, you have to recuse from matters of general applicability (rulemakings and policy decisions!) that will have a direct and predictable effect on the semiconductor industry based on your financial holdings.

When OGE issues its Certificate of Divestiture, you should be free of this recusal obligation, as part of the CD package includes your holdings in semiconductor companies (Broadcom, Intel, Nvidia, Qualcomm, Skywork Solutions). When you've sold, your new recusal statement will similarly reflect your release from that restriction.

Victoria

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel | Ethics Office
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Goffman, Joseph <Goffman.Joseph@epa.gov>
Sent: Monday, June 21, 2021 11:28 AM
To: Clarke, Victoria <clarke.victoria@epa.gov>
Subject: FW: Appreciated by COB June 22: Identification of EPA's Expertise on Semiconductor Manufacturing Processes

Hi, Victoria. Do I need to recuse myself on this? Thanks.

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Carbonell, Tomas <Carbonell.Tomas@epa.gov>
Sent: Monday, June 21, 2021 11:25 AM
To: Tsirigotis, Peter <Tsirigotis.Peter@epa.gov>; Koerber, Mike <Koerber.Mike@epa.gov>
Cc: Goffman, Joseph <Goffman.Joseph@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>; Kim, Eunjung <Kim.Eun@epa.gov>
Subject: FW: Appreciated by COB June 22: Identification of EPA's Expertise on Semiconductor Manufacturing Processes

Hi all, please see this time-sensitive request from Alison seeking recommendations on expert staff who can provide input on a study concerning barriers to the construction of new semiconductor plants. This seems like an area where OAQPS would have the most relevant expertise – Peter and Mike, can you suggest someone to participate? Best,

Tomás

From: Cassady, Alison <Cassady.Alison@epa.gov>
Sent: Monday, June 21, 2021 10:48 AM
To: Best-Wong, Benita <Best-Wong.Benita@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Orme-Zavaleta, Jennifer <Orme-Zavaleta.Jennifer@epa.gov>; Nishida, Jane <Nishida.Jane@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Pirzadeh, Michelle <Pirzadeh.Michelle@epa.gov>; Hoffer, Melissa <Hoffer.Melissa@epa.gov>; Frey, Christopher <Frey.Christopher@epa.gov>; Mugdan, Walter <Mugdan.Walter@epa.gov>; Jordan, Deborah <Jordan.Deborah@epa.gov>; Gray, David <gray.david@epa.gov>; Arroyo, Victoria <Arroyo.Victoria@epa.gov>
Cc: Macedonia, Jennifer <Macedonia.Jennifer@epa.gov>; Efron, Brent <Efron.Brent@epa.gov>; Tyree, Robin <Tyree.Robin@epa.gov>
Subject: Appreciated by COB June 22: Identification of EPA's Expertise on Semiconductor Manufacturing Processes

Colleagues,

I hope this email finds you well. As part of the Administration's implementation of [Executive Order 14017 on America's Supply Chain](#), the Agency has been tasked to complete a study, due July 31, on obstacles to constructing new semiconductor fabrication plants (fabs) in the United States, including permitting obstacles and water requirements. The types of issues that may be relevant include permitting under the Clean Air Act, Clean Water Act, and other environmental statutes; NEPA review; requirements related to water quantity and sourcing; and requirements under the Toxic Substances Control Act.

Jennifer Macedonia, our new Deputy Associate Administrator for Policy in the Office of Policy, will be our intra-agency lead for this effort.

As a first step, we'd appreciate your recommendation for experts on your staff that would be able to represent EPA's equities on this topic. Jennifer will convene an initial discussion in a few days. My sense is the time commitment for your folks would be a few hours a week until July 31. Please send names to Jennifer and include Efron.Brent@epa.gov and Tyree.Robin@epa.gov on your response by **COB Tuesday, June 22**. Feel free to contact Jennifer or Robin with any questions. I very much appreciate your support.

Thanks,

Alison

Alison L. Cassady
Deputy Chief of Staff for Policy
U.S. Environmental Protection Agency

Cell: (202) 941-6036

Message

From: Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]
Sent: 7/14/2021 3:25:59 PM
To: [REDACTED] **Ex. 6 Personal Privacy (PP)**
[REDACTED] **Ex. 6 Personal Privacy (PP)**
CC: [REDACTED] **Ex. 6 Personal Privacy (PP)**
Subject: RE: Certificates of Divestiture - Joseph Goffman - [Message and attachment(s) contain CUI]

[REDACTED] **Ex. 6 Personal Privacy (PP)** I will send you information via gmail on accessing the [REDACTED] **Ex. 6 Personal Privacy (PP)** Thank you!!

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: [REDACTED] **Ex. 6 Personal Privacy (PP)**
Sent: Wednesday, July 14, 2021 11:24 AM
To: [REDACTED] **Ex. 6 Personal Privacy (PP)** Goffman, Joseph <Goffman.Joseph@epa.gov>, [REDACTED] **Ex. 6 Personal Privacy (PP)**
CC: [REDACTED] **Ex. 6 Personal Privacy (PP)**
Subject: RE: Certificates of Divestiture - Joseph Goffman - [Message and attachment(s) contain CUI]

Hi all,

Yes, we are handling the monthly transactions but I am awaiting the [REDACTED] **Ex. 6 Personal Privacy (PP)** to complete.

Regards,

Ex. 6 Personal Privacy (PP)

> Sign up for our newsletter

From: [REDACTED] **Ex. 6 Personal Privacy (PP)**
Sent: Wednesday, July 14, 2021 11:22 AM
To: 'Goffman, Joseph' <Goffman.Joseph@epa.gov>, [REDACTED] **Ex. 6 Personal Privacy (PP)**
Ex. 6 Personal Privacy (PP)

Cc: [Ex. 6 Personal Privacy (PP)]

Subject: RE: Certificates of Divestiture - Joseph Goffman - [Message and attachment(s) contain CUI]

WARNING: This e-mail originated from outside of [Ex. 6 Personal Privacy (PP)] Always use caution when opening attachments or clicking links.

Dear All,

It was our understanding that [Ex. 6 Personal Privacy (PP)] would prepare the filings and we can provide any additional information he requires. [Ex. 6 Personal Privacy (PP)] please confirm.

Best,

Ex. 6 Personal Privacy (PP)

From: Goffman, Joseph <Goffman.Joseph@epa.gov>

Sent: Wednesday, July 14, 2021 10:55 AM

To: [Ex. 6 Personal Privacy (PP)]

[Ex. 6 Personal Privacy (PP)]

Cc: [Ex. 6 Personal Privacy (PP)]

Subject: FW: Certificates of Divestiture - Joseph Goffman - [Message and attachment(s) contain CUI]

Hi, Everyone. Please see Victoria's question below – and please forgive me if I've mischaracterized the state of play. That said, would it be doable for you to take care of these filings – [Ex. 6 Personal Privacy (PP)] for your all's transactions and [Ex. 6 Personal Privacy (PP)] for the [Ex. 6 Personal Privacy (PP)]

[Ex. 6 Personal Privacy (PP)] information as well. Please let me know how to proceed. ***And, of course, you are more than entitled to beg off this task altogether***. Please just let me know one way or another. Thanks.

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Goffman, Joseph

Sent: Wednesday, July 14, 2021 10:49 AM

To: Clarke, Victoria <clarke.victoria@epa.gov>

Subject: RE: Certificates of Divestiture - Joseph Goffman - [Message and attachment(s) contain CUI]

Thanks for the ping, Victoria. In years past, [Ex. 6 Personal Privacy (PP)] were kind enough to take care of those filings on my behalf and they both told me that they were resuming the practice now. However, come to think of it, neither has given me confirmation and prompted me to go in and sign the filings. So, I will take care of making sure this is done. Thank you, again.

Joseph Goffman

Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Clarke, Victoria <clarke.victoria@epa.gov>
Sent: Wednesday, July 14, 2021 10:45 AM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Subject: RE: Certificates of Divestiture - Joseph Goffman - [Message and attachment(s) contain CUI]

Hi Joe,

I haven't noticed a 278-T for the sale of assets --- has that been filed and I missed it?

Victoria

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel | Ethics Office
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Goffman, Joseph <Goffman.Joseph@epa.gov>
Sent: Monday, June 21, 2021 4:01 PM
To: Clarke, Victoria <clarke.victoria@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: Certificates of Divestiture - Joseph Goffman - [Message and attachment(s) contain CUI]

Oh, yes!!! Thank you.

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Clarke, Victoria <clarke.victoria@epa.gov>
Sent: Monday, June 21, 2021 4:01 PM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>
Subject: FW: Certificates of Divestiture - Joseph Goffman - [Message and attachment(s) contain CUI]

Hi Joe,

Ask and you shall receive!

OGE issued the certificates of divestiture. They are attached. You should now be able to inform your accountants, and your wife should be able to inform her trustees, that they can divest of the assets.

Victoria

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency

Office of General Counsel | Ethics Office
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: CD <cd@oge.gov>
Sent: Monday, June 21, 2021 3:47 PM
To: Clarke, Victoria <clarke.victoria@epa.gov>
Cc: Margaret E. Dylus-Yukins <meyukins@oge.gov>; Elaine Newton <enewton@oge.gov>
Subject: Certificates of Divestiture - Joseph Goffman - [Message and attachment(s) contain CUI]

Good Afternoon:

In response to your request of 05/07/2021, attached are Certificates of Divestiture, OGE-2021-019 through OGE-2021-123 for Joseph Goffman Environmental Protection Agency. Please forward the certificates to Mr, Goffman.

If there are any questions, you may contact Margaret Dylus-Yukins, at 202.482-9222

Please confirm receipt of this email by replying to all.

Thank you.

CONTROLLED
Email and attachment(s) contain CUI.

Gwendolyn Cannon-Jenkins
US Office of Government Ethics
Administrative Operations Branch
1201 New York Avenue NW
Suite 500
Washington, DC 20005

(e) gcannon@oge.gov <<mailto:gcannon@oge.gov>>
(p)(202) 482-9219

Visit OGE's website: www.oge.gov <<http://www.oge.gov>>
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Disclaimer: Any accounting, business or tax advice contained in this communication, including attachments and enclosures, is not intended as a thorough, in-depth analysis of specific issues, nor a substitute for a formal opinion, nor is it sufficient to avoid tax-related penalties. If desired, Sheehan & Company, CPA, PC would be pleased to perform the requisite research and provide you with a detailed written analysis. Such an engagement may be the subject of a separate engagement letter that would define the scope and limits of the desired consultation services.

Message

From: Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]
Sent: 5/12/2021 1:30:44 PM
To: Clarke, Victoria [clarke.victoria@epa.gov]
CC: [Ex. 6 Personal Privacy (PP)]
Subject: RE: Fwd:

I have that effect on most people. Thanks for the help.

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Clarke, Victoria <clarke.victoria@epa.gov>
Sent: Wednesday, May 12, 2021 9:29 AM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Cc: [Ex. 6 Personal Privacy (PP)]
Subject: RE: Fwd:

Okay! That's good to know, for a moment I thought I had missed something and was going crazy!

For [Ex. 6 Personal Privacy (PP)] I've sprinkled some magic word dust on the last paragraph.

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel | Ethics Office
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Goffman, Joseph <Goffman.Joseph@epa.gov>
Sent: Wednesday, May 12, 2021 9:24 AM
To: Clarke, Victoria <clarke.victoria@epa.gov>
Cc: [Ex. 6 Personal Privacy (PP)]
Subject: RE: Fwd:

[Ex. 6 Personal Privacy (PP)]

[Ex. 6 Personal Privacy (PP)]

How should [Ex. 6 Personal Privacy (PP)] revise the statement?

Thanks.

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Clarke, Victoria <clarke.victoria@epa.gov>
Sent: Wednesday, May 12, 2021 9:08 AM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>

Cc: Ex. 6 Personal Privacy (PP)

Subject: RE: Fwd:

Hi Joel

It mostly looks all right and can be sent directly me! Just one point of clarification: is

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Victoria

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel | Ethics Office
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Goffman, Joseph <Goffman.Joseph@epa.gov>

Sent: Wednesday, May 12, 2021 1:12 AM

To: Clarke, Victoria <clarke.victoria@epa.gov>

Cc: Ex. 6 Personal Privacy (PP)

Subject: FW: Fwd:

Hi, Victoria. Does the below look right for Ex. 6 Personal Privacy (PP)? Should she send it to you or to OGE directly? Thanks.

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Joseph Goffman Ex. 6 Personal Privacy (PP)

Sent: Wednesday, May 12, 2021 1:08 AM

To: Goffman, Joseph <Goffman.Joseph@epa.gov>

Subject: Fwd:

----- Forwarded message -----

From: Ex. 6 Personal Privacy (PP)

Date: Tue, May 11, 2021 at 6:02 PM

Subject:

To: Joseph Goffman <Ex. 6 Personal Privacy (PP)>

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Message

From: Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]
Sent: 5/13/2021 2:01:37 PM
To: Clarke, Victoria [clarke.victoria@epa.gov]
Subject: RE: [Ex. 6 Personal Privacy (PP)] - Statement of Divestiture

Seriously...no.

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Clarke, Victoria <clarke.victoria@epa.gov>
Sent: Thursday, May 13, 2021 10:01 AM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Subject: RE: [Ex. 6 Personal Privacy (PP)] - Statement of Divestiture

Hah! And here I was always led to believe that it was we in the Ethics Office who were the sloths during this process. 😊

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel | Ethics Office
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Goffman, Joseph <Goffman.Joseph@epa.gov>
Sent: Thursday, May 13, 2021 10:00 AM
To: Clarke, Victoria <clarke.victoria@epa.gov>
Subject: FW: [Ex. 6 Personal Privacy (PP)] - Statement of Divestiture

I wonder why this suddenly came to mind.

<https://www.youtube.com/watch?v=ONFj7AYgbko>

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: [Ex. 6 Personal Privacy (PP)]
Sent: Thursday, May 13, 2021 9:41 AM
To: Clarke, Victoria <clarke.victoria@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; [Ex. 6 Personal Privacy (PP)]
Subject: [Ex. 6 Personal Privacy (PP)]
Cc: [Ex. 6 Personal Privacy (PP)]
Subject: RE: [Ex. 6 Personal Privacy (PP)] - Statement of Divestiture

That helps Victoria – thank you. We will run the proposed language by our legal department and get back to you.

Regards,

Ex. 6 Personal Privacy (PP)

From: Clarke, Victoria <clarke.victoria@epa.gov>

Sent: Thursday, May 13, 2021 9:34 AM

To: Ex. 6 Personal Privacy (PP) Joseph <Goffman.Joseph@epa.gov>;

Ex. 6 Personal Privacy (PP)

Cc: Ex. 6 Personal Privacy (PP)

Subject: RE: Ex. 6 Personal Privacy (PP) Statement of Divestiture

Hi Ex. 6 Personal Privacy (PP)

Allow me to dispel any confusion! It doesn't contradict with my initial email and the statement is not asking you to divest yet – it is simply stating that you *will* divest, when the time comes.

Simply put, OGE will not issue a certificate of divestiture if the individuals that have control over the assets will not divest of the asset and they require an unequivocal statement of that fact. This requirement came directly from OGE and is also set out in OGE's Certificate of Divestiture regulations, 5 C.F.R. 2634.1005. The language in Joe's email similarly comes from communications that I have had with OGE about obtaining a certificate of divestiture for Joe. That is the language that they want to see.

Victoria

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel | Ethics Office
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Ex. 6 Personal Privacy (PP)

Sent: Thursday, May 13, 2021 9:16 AM

To: Goffman, Joseph <Goffman.Joseph@epa.gov>; Ex. 6 Personal Privacy (PP)

Cc: Ex. 6 Personal Privacy (PP) Clarke, Victoria <clarke.victoria@epa.gov>

Subject: RE: Ex. 6 Personal Privacy (PP) Statement of Divestiture

Good morning,

The statement we are being asked to issue below appears to contradict Victoria's prior email telling us specifically not to divest the assets until you receive the certificate of divestiture. Why do we need to state that we will sell regardless of whether you get the CD?

Regards,

Ex. 6 Personal Privacy (PP)

From: Goffman, Joseph <Goffman.Joseph@epa.gov>

Sent: Wednesday, May 12, 2021 11:55 PM

To: Ex. 6 Personal Privacy (PP)

Cc: Ex. 6 Personal Privacy (PP) Clarke, Victoria <clarke.victoria@epa.gov>

Subject: Ex. 6 Personal Privacy (PP) -- Statement of Divestiture

Hello, Ex. 6 Personal Privacy (PP)

As always, thank you very much for your help and support in this matter. As you know, as part of helping me fulfill my obligations to eliminate conflicts of interest between our family's assets and my official duties as a senior appointee at the Environmental Protection Agency, Ex. 6 Personal Privacy (PP) as beneficiary, has agreed to the sale of certain stocks in the Ex. 6 Personal Privacy (PP). Could you please send back from your email by "reply all" the following statements?

Ex. 6 Personal Privacy (PP)

Again, many thanks for your help.

Best,
Joe

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

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Please refer to Ex. 6 Personal Privacy (PP) for certain disclosures relating to European legal entities. We take our data protection and privacy responsibilities seriously and our privacy notice explains how we collect, use and

share personal information in the course of our business activities. It can be accessed at the privacy section of

Ex. 6 Personal Privacy (PP)

Message

From: Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]
Sent: 5/23/2021 3:44:48 PM
To: Clarke, Victoria [clarke.victoria@epa.gov]
CC: Campbell, Ann [Campbell.Ann@epa.gov]
Subject: RE: Meeting Request for you

I didn't fare much better as a math student, although one of my kids has turned out to be something of a quant guy – but that's mostly because his maternal grandfather was a very smart math guy. So, it may be nature rather than nurture.

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Clarke, Victoria <clarke.victoria@epa.gov>
Sent: Friday, May 21, 2021 2:20 PM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Cc: Campbell, Ann <Campbell.Ann@epa.gov>
Subject: RE: Meeting Request for you

You can always poke me about the status of things! I may not have always have an answer for you, though – so don't be cross. But do trust that we haven't forgotten about you.

On that note, I have to say that adding up numbers on license plates never much helped my arithmetic skills develop to the chagrin of my parents. I think if they had introduced me to tabletop games that required you to roll dice and add multipliers on the fly earlier in life, then I would have been a better math student.

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel | Ethics Office
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Goffman, Joseph <Goffman.Joseph@epa.gov>
Sent: Friday, May 21, 2021 1:38 PM
To: Clarke, Victoria <clarke.victoria@epa.gov>
Cc: Campbell, Ann <Campbell.Ann@epa.gov>
Subject: RE: Meeting Request for you

Not having entirely outgrown my 6-year-old-on-a-long-car-trip self, I may persecute you with multiple “are we there yet?” emails. Feel free to tell me to just go back to counting license plates...

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Clarke, Victoria <clarke.victoria@epa.gov>
Sent: Friday, May 21, 2021 12:35 PM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Cc: Campbell, Ann <Campbell.Ann@epa.gov>
Subject: RE: Meeting Request for you

That I don't know, Joe. They had some follow up questions for Justina and I (nothing that requires you to do any work, no worries there) but I will keep you posted as the process moves along.

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel | Ethics Office
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Goffman, Joseph <Goffman.Joseph@epa.gov>
Sent: Friday, May 21, 2021 12:31 PM
To: Clarke, Victoria <clarke.victoria@epa.gov>
Cc: Campbell, Ann <Campbell.Ann@epa.gov>
Subject: RE: Meeting Request for you

Thanks, Victoria. What's the over/under on when OGE will issue the CD so that we can transact the sales without the tax liability?

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Clarke, Victoria <clarke.victoria@epa.gov>
Sent: Friday, May 21, 2021 10:41 AM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Cc: Campbell, Ann <Campbell.Ann@epa.gov>
Subject: RE: Meeting Request for you

Hi Joe,

Yes – but only if your holdings in CNI are above \$25,0000	Ex. 6 Personal Privacy (PP)
Ex. 6 Personal Privacy (PP)	If your holdings are below \$25,000, then you're not at the threshold for an affected non-party and can attend the meeting.

For reference, CNI is trading right now at \$104.89 dollars.

Victoria

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel | Ethics Office
Washington, D.C. | 7348 WJCN

EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Goffman, Joseph <Goffman.Joseph@epa.gov>
Sent: Friday, May 21, 2021 10:28 AM
To: Clarke, Victoria <clarke.victoria@epa.gov>
Cc: Campbell, Ann <Campbell.Ann@epa.gov>
Subject: FW: Meeting Request for you

If the Canadian National Railroad sale hasn't happened as of June 3, am I recused from talking to this CEO? Thanks.

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Utech, Dan <Utech.Dan@epa.gov>
Sent: Friday, May 21, 2021 10:00 AM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Subject: FW: Meeting Request for you

Hi Joe – per below, the CEO of Union Pacific is looking to have a call with EPA on June 3 at 11 am. If you happen to be available, that would be great. If not I'll just take it and give you and team a readout. Thanks, Dan

From: Jay Heimbach <jheimbach@tibercreekgroup.com>
Sent: Friday, May 21, 2021 9:11 AM
To: Utech, Dan <Utech.Dan@epa.gov>
Subject: Re: Meeting Request for you

Hey!

I know you are crushed – just wanted to circle back on this

From: Jay Heimbach <jheimbach@tibercreekgroup.com>
Date: Wednesday, May 19, 2021 at 12:05 PM
To: "Utech, Dan" <Utech.Dan@epa.gov>
Subject: Re: Meeting Request for you

CEO is good with Goffman. Only catch? 11am is the only time he now has.

I think this would be a great meeting though – I assume virtual, but he's happy to do in person too.

HUGE thanks for your help on this – and I really look forward to catching up!

From: "Utech, Dan" <Utech.Dan@epa.gov>
Date: Wednesday, May 19, 2021 at 11:04 AM
To: Jay Heimbach <jheimbach@tibercreekgroup.com>
Subject: RE: Meeting Request for you

Hi Jay – best number to reach you on?

From: Jay Heimbach <jheimbach@tibercreekgroup.com>

Sent: Monday, May 17, 2021 5:17 PM

To: Utech, Dan <Utech.Dan@epa.gov>

Subject: Re: Meeting Request for you

Hey!

Wanted to circle back with you on this

Willing to beg!

Sent from my iPhone

On May 12, 2021, at 3:47 PM, Jay Heimbach <jheimbach@tibercreekgroup.com> wrote:

Dan!

Hope you are well – I know you are crushed with work. So great to see you over there – I am cheering from the cheap seats.

That said, the CEO of Union Pacific, Lance Fritz, would like to meet with you – virtually or in-person, on June 3rd. He will be in DC, and wants to talk to you about locomotive emissions. As you know, UP is one of the largest railroads in the United States (and was part of the First Transcontinental Railroad). I think it would be a useful conversation, and a person for you to know.

Best window on his end is 11-12:30pm.

Bio below.

A BIG thanks for considering this request!

All the best,
Jay

Lance M. Fritz

Chairman, President and Chief Executive Officer

Lance M. Fritz is Union Pacific chairman, president and chief executive officer. He became chairman of the board effective October 1, 2015. Fritz became president and chief executive officer February 5, 2015, when he also was elected to the corporation's board of directors.

He previously served as president and chief operating officer of Union Pacific Railroad, a position he had held since February 2014, after serving as executive vice president-Operations and vice president-Labor Relations, respectively. He began his Union Pacific career in July 2000 as vice president and general manager-Energy in the company's Marketing and Sales department.

Before joining Union Pacific, Fritz worked for Fiskars Inc., Cooper Industries and General Electric. He is a graduate of Bucknell University and earned a master's degree in management from the Kellogg School of Management at Northwestern University.

Fritz serves as a member of the board of directors of Parker-Hannifin Corporation and the Georgia Institute of Technology president's advisory board. He serves as chairman of the board of directors for the Association of American Railroads, chair of the Business Roundtable trade and international committee, and is a member of The Business Council.

Fritz is deeply involved with organizations in his local community. He is a member of the board of directors for Nebraska Medicine and Omaha Zoological Society. He serves on the STRATCOM consultation committee and is the Omaha Business Ethics Alliance trustee chair.

Fritz and his wife Ex. 6 and are committed to helping women and children at risk in the Omaha community.

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THOMAS R. CARPER, DELAWARE, CHAIRMAN
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MARY FRANCES REPKO, DEMOCRATIC STAFF DIRECTOR
ADAM TOMLINSON, REPUBLICAN STAFF DIRECTOR

United States Senate
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS
WASHINGTON, DC 20510-6175

April 7, 2021

The Honorable Michael Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20004

Dear Administrator Regan:

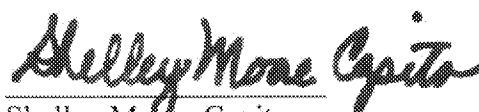
I write to express my congratulations on your confirmation to be the Administrator of the U.S. Environmental Protection Agency (EPA). I look forward to continuing the dialogue with you and your staff. I greatly appreciated your commitment to visit, and ensure meaningful engagement with, communities across the country, including West Virginia. I also appreciated your commitment to provide Congress with information necessary to complete its oversight functions.

As Ranking Member of the Senate Committee on Environment and Public Works (EPW), I ask to establish a process for EPA under your leadership to transmit information to EPW staff about EPA's personnel and activities on an ongoing basis. We request to receive updates and materials on the following matters on at least a monthly basis:

- Lists of all political appointees at EPA, including: the name of the appointee, position name, office, hiring authority or classification, start date of service, and end date of service, if applicable.
- Documents regarding compliance with ethics requirements of any political appointee, including: signed-and-dated copies of any ethics pledges, authorizations, waivers, or recusals issued with respect to a particular entity or matter.
- Calendars (including the subject and participants in calendar entries) of the Agency's senior leaders, including the Administrator, Deputy Administrator, General Counsel, Assistant Administrator(s), and Regional Administrator(s) (whether holding the position in an acting or permanent capacity).

Thank you for your consideration of this request. My staff is available to discuss with your staff the most efficient way to transmit this information. Please have them contact Elizabeth Horner at (202) 224-6176 or elizabeth_horner@epw.senate.gov.

Sincerely,



Shelley Moore Capito
United States Senator
Ranking Member
Committee on Environment and Public Works



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

April 23, 2021

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable Shelley Moore Capito
Ranking Member
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510

Dear Senator Capito:

Thank you for your April 7, 2020 letter to Administrator Michael Regan, requesting periodic disclosures of information related to political appointees, their ethics compliance, and senior leaders' calendars. Administrator Regan asked me to respond on his behalf.

Administrator Regan believes it is important for all public servants to be as transparent as possible with Congress and the public as we look at information and develop decisions at EPA. As he pledged before you at his nomination hearing in February, he is committed to conducting the Agency's work in a transparent manner as we restore scientific integrity and evidence-based policymaking throughout EPA. Administrator Regan knows that to achieve the significant goals EPA has in front of us—to take on the climate crisis, advance environmental justice, restore the role of science, protect public health, and rebuild stronger than before—the EPA will need to re-earn the public's confidence. He recognizes that restoring the public's confidence is critical to meeting our mission to protect human health and the environment. Just last week, Administrator Regan formally set out his commitments to and expectations for transparency and earning public trust in EPA operations in his "fishbowl" memo, in keeping with a long tradition of fishbowl memos at EPA. A copy is enclosed.

Administrator Regan is providing a simplified version of his appointment calendar showing his meetings with the public at <https://www.epa.gov/senior-leaders-calendars>. This is updated on a regular basis and, pursuant to his fishbowl memo, other senior leaders will also be sharing their simplified calendars. We are currently in the process of onboarding the leadership into new technology that will allow us to keep these regularly updated and will be adding more calendars soon.

The Agency understands the importance of Congress' need to obtain information necessary to perform its legitimate oversight functions, and the EPA is committed to working with your staff to accommodate Congress' interests. Enclosed please find an initial production of information responsive to your request. We anticipate delivering additional responsive documents to your office on a rolling basis as they become available.

If you have any further questions, please contact me, or your staff may contact Kristien Knapp in EPA's Office of Congressional and Intergovernmental Relations at Knapp.Kristien@epa.gov.

Sincerely,

Radha Adhar

Radha Adhar
Deputy Associate Administrator

Enclosures

cc: The Honorable Thomas R. Carper, Chairman

Message

From: Clarke, Victoria [clarke.victoria@epa.gov]
Sent: 7/14/2021 3:27:47 PM
To: Goffman, Joseph [Goffman.Joseph@epa.gov]
Subject: RE: Certificates of Divestiture - Joseph Goffman - [Message and attachment(s) contain CUI]

No problem! I am just glad that I didn't let something slip by.

Victoria

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel | Ethics Office
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Goffman, Joseph <Goffman.Joseph@epa.gov>
Sent: Wednesday, July 14, 2021 10:49 AM
To: Clarke, Victoria <clarke.victoria@epa.gov>
Subject: RE: Certificates of Divestiture - Joseph Goffman - [Message and attachment(s) contain CUI]

Thanks for the ping, Victoria. In years past, **Ex. 6 Personal Privacy (PP)** were kind enough to take care of those filings on my behalf and they both told me that they were resuming the practice now. However, come to think of it, neither has given me confirmation and prompted me to go in and sign the filings. So, I will take care of making sure this is done. Thank you, again.

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Clarke, Victoria <clarke.victoria@epa.gov>
Sent: Wednesday, July 14, 2021 10:45 AM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Subject: RE: Certificates of Divestiture - Joseph Goffman - [Message and attachment(s) contain CUI]

Hi Joe,

I haven't noticed a 278-T for the sale of assets --- has that been filed and I missed it?

Victoria

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel | Ethics Office
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Goffman, Joseph <Goffman.Joseph@epa.gov>
Sent: Monday, June 21, 2021 4:01 PM
To: Clarke, Victoria <clarke.victoria@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: Certificates of Divestiture - Joseph Goffman - [Message and attachment(s) contain CUI]

Oh, yes!!! Thank you.

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Clarke, Victoria <clarke.victoria@epa.gov>
Sent: Monday, June 21, 2021 4:01 PM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>
Subject: FW: Certificates of Divestiture - Joseph Goffman - [Message and attachment(s) contain CUI]

Hi Joe,

Ask and you shall receive!

OGE issued the certificates of divestiture. They are attached. You should now be able to inform your accountants, and your wife should be able to inform her trustees, that they can divest of the assets.

Victoria

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel | Ethics Office
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: CD <cd@oge.gov>
Sent: Monday, June 21, 2021 3:47 PM
To: Clarke, Victoria <clarke.victoria@epa.gov>
Cc: Margaret E. Dylus-Yukins <meyukins@oge.gov>; Elaine Newton <enewton@oge.gov>
Subject: Certificates of Divestiture - Joseph Goffman - [Message and attachment(s) contain CUI]

Good Afternoon:

In response to your request of 05/07/2021, attached are Certificates of Divestiture, OGE-2021-019 through OGE-2021-123 for Joseph Goffman Environmental Protection Agency. Please forward the certificates to Mr. Goffman.

If there are any questions, you may contact Margaret Dylus-Yukins, at 202.482-9222

Please confirm receipt of this email by replying to all.

Thank you.

CONTROLLED

Email and attachment(s) contain CUI.

Gwendolyn Cannon-Jenkins
US Office of Government Ethics
Administrative Operations Branch
1201 New York Avenue NW
Suite 500
Washington, DC 20005

(e) gcannon@oge.gov <<mailto:gcannon@oge.gov>>

(p)(202) 482-9219

Visit OGE's website: www.oge.gov <<http://www.oge.gov>>

Follow OGE on Twitter: [@OfficeGovEthics](https://twitter.com/OfficeGovEthics)

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Message

From: Knapp, Kristien [Knapp.Kristien@epa.gov]
Sent: 7/9/2021 10:18:21 PM
To: Li, Jake [Li.Jake@epa.gov]; Weaver, Susannah [Weaver.Susannah@epa.gov]; Schafer, Zach [Schafer.Zach@epa.gov]; Cortez Russell, Loni [Russell.Loni@epa.gov]; McCabe, Janet [McCabe.Janet@epa.gov]; Fox, Radhika [Fox.Radhika@epa.gov]; Nunez, Alejandra [Nunez.Alejandra@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]; Engelman-Lado, Marianne [EngelmanLado.Marianne@epa.gov]
CC: Adhar, Radha [Adhar.Radha@epa.gov]; Utech, Dan [Utech.Dan@epa.gov]; Cassady, Alison [Cassady.Alison@epa.gov]
Subject: EPW Minority Request for Calendars, Ethics Docs, Appointee Lists
Attachments: 2021-04-07 Capito-Regan (Transparency Disclosures).pdf; 2021-04-23 EPA-Capito (Transparency).pdf

Hi folks—OCIR is getting ready to produce a next set of documents in response to an ongoing oversight request from Senator Capito for appointee lists, ethics filings, and senior leader calendars. We are flagging this for you because this production includes documents related to you. Please let me know if you have any questions or concerns. I am planning to send these on Monday afternoon. Note that these documents have not yet been released under FOIA.

List of Documents in this Production

--Appointee List from OMS
--Ethics Pledges for Ya-Wei (Jake) Li; Susannah Weaver; Zachary Schafer, and Loni Russell
--Recusal Memos for Janet McCabe, Radhika Fox, Alejandra Nunez, Joe Goffman (updated), and Marianne Engelman-Lado
--Impartiality Memo for Marianne Engelman-Lado

Also attached are the incoming request and our initial response. Again, please reach out with any questions.

Thanks,
Kristien

Kristien G. Knapp
Legislative and Oversight Counsel
Office of Congressional Affairs
U.S. Environmental Protection Agency
Office: (202) 564-3277
Cell: (202) 379-8531

Message

From: Carroll, Timothy [Carroll.Timothy@epa.gov]
Sent: 9/29/2021 10:10:01 PM
To: Goffman, Joseph [Goffman.Joseph@epa.gov]
CC: Millett, John [Millett.John@epa.gov]; Hamilton, Lindsay [Hamilton.Lindsay@epa.gov]; Conger, Nick [Conger.Nick@epa.gov]
Subject: FW: Biden EPA appointees' ethics documents

Hi Joe,

Wanted to flag this follow up from E&E below. We think it may be worth sharing an additional quote about your work and reiterate that you have complied with all obligations. Let us know what you think, we now have until noon tomorrow.

Ex. 5 Deliberative Process (DP)

From E&E: -- For this story, we requested an interview with Joe Goffman. That request was not granted, which we will mention in the story. That said, given the Biden administration's focus on combatting climate change, does EPA think it hurts the administration's credibility that a key player in that effort like Goffman evidently saw no problem in owning tens of thousands of dollars worth of stock in major fossil fuel producers who are contributing to climate change? Did someone in the administration ask Goffman to sell his shares in ExxonMobil Corp.; Occidental Petroleum Corp.; Marathon Petroleum Corp.; Chevron Corp.; and/or Berkshire Hathaway, Inc.? If so, who? And why?

Tim Carroll (he/him)
Deputy Press Secretary
Environmental Protection Agency
202-384-7510 (mobile)
Twitter: [@EPAPressOffice](https://twitter.com/EPAPressOffice)

Message

From: Conger, Nick [Conger.Nick@epa.gov]
Sent: 9/29/2021 11:33:44 PM
To: Goffman, Joseph [Goffman.Joseph@epa.gov]
Subject: Re: Biden EPA appointees' ethics documents

We have your back Joe. Keep leading as you are.

Nick Conger
EPA Press Secretary
202-941-1116

On Sep 29, 2021, at 6:55 PM, Goffman, Joseph <Goffman.Joseph@epa.gov> wrote:

Ex. 5 Deliberative Process (DP)

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Conger, Nick <Conger.Nick@epa.gov>
Sent: Wednesday, September 29, 2021 6:38 PM
To: Carroll, Timothy <Carroll.Timothy@epa.gov>
Cc: Goffman, Joseph <Goffman.Joseph@epa.gov>; Millett, John <Millett.John@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>
Subject: Re: Biden EPA appointees' ethics documents

Hi Joe and team. Realizing now that this is based on a follow up/double down from the reporters based on our response, proposing a slightly more strident defense for your consideration:

Ex. 5 Deliberative Process (DP)

Nick Conger
EPA Press Secretary
202-941-1116

On Sep 29, 2021, at 6:10 PM, Carroll, Timothy <Carroll.Timothy@epa.gov> wrote:

Ex. 5 Deliberative Process (DP)

Message

From: Knapp, Kristien [Knapp.Kristien@epa.gov]
Sent: 11/12/2021 4:07:02 PM
To: Goffman, Joseph [Goffman.Joseph@epa.gov]; Fox, Radhika [Fox.Radhika@epa.gov]; Schafer, Zach [Schafer.Zach@epa.gov]; Li, Jake [Li.Jake@epa.gov]; Harney, Alethea [Harney.Alethea@epa.gov]; Hicks, Destine [Hicks.Destine@epa.gov]; Niebling, William [Niebling.William@epa.gov]; Nishida, Jane [Nishida.Jane@epa.gov]; Ortiz, Adam [Ortiz.Adam@epa.gov]; Schreyer, Andrew [Schreyer.Andrew@epa.gov]; Shore, Debra [Shore.Debra@epa.gov]; Snyder, Rodney [Snyder.Rodney@epa.gov]
CC: Conrad, Daniel [conrad.daniel@epa.gov]; Weaver, Susannah [Weaver.Susannah@epa.gov]; Adhar, Radha [Adhar.Radha@epa.gov]; Richardson, RobinH [Richardson.RobinH@epa.gov]; Griffo, Shannon [Griffo.Shannon@epa.gov]; Fugh, Justina [Fugh.Justina@epa.gov]
Subject: Heads Up: EPW Minority Production of Calendars, Ethics Docs, Appointee Lists
Attachments: 2021-04-07 Capito-Regan (Transparency Disclosures).pdf; 2021-04-23 EPA-Capito (Transparency).pdf

Hi folks—OCIR is getting ready to produce a fifth set of documents in response to an ongoing oversight request from Senator Capito for appointee lists, ethics documents, and senior leader calendars. We are flagging this for you because this production includes at least one document related to you. Please let me know if you have any questions or concerns. I am planning to send these Monday afternoon (11/15). Note that some of these documents have already been released under FOIA (calendars) but some have not (appointee list, ethics documents).

List of Documents in this Production

Calendars:

- Joseph Goffman (March, April)

Recusal statements:

- Radhika Fox (updated)
- Zach Schafer

Outside activity approval:

- Jake Li

Ethics Pledges:

- Alethea Harney
- Destine Hicks
- William Niebling
- Jane Nishida
- Adam Ortiz
- Andrew Schreyer
- Debra Shore
- Rodney Snyder

Also attached are the incoming request and our initial response letter. Again, please reach out with any questions.

Thanks,
Kristien

Kristien G. Knapp
Legislative and Oversight Counsel
Office of Congressional Affairs
U.S. Environmental Protection Agency

Message

From: Harris, Sincere [Harris.Sincere@epa.gov]
Sent: 2/7/2022 1:40:12 PM
To: Goffman, Joseph [Goffman.Joseph@epa.gov]
Subject: Re: Precleared: Joseph Goffman

Praise be!

Saludos,

Sincéré
U.S. EPA
202-570-5675

sent from my iPhone

On Feb 6, 2022, at 9:48 PM, Goffman, Joseph <Goffman.Joseph@epa.gov> wrote:

FYI.

Joseph Goffman
Principal Deputy Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Fugh, Justina <Fugh.Justina@epa.gov>
Sent: Friday, February 4, 2022 6:11 PM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Cc: Griffo, Shannon <Griffo.Shannon@epa.gov>
Subject: FW: Precleared: Joseph Goffman

Hey Joe –

Good news! OGE just precleared you, and I heard from Adam Raviv that they have your report and ethics agreement. Woo hoo! What's next is for the President to nominate you formally. When that happens, Shannon will be back in touch with you to get you to sign the nominee report and the ethics agreement.

Have a great weekend!

Justina

Justina Fugh (she/her) | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

From: Utech, Dan [Utech.Dan@epa.gov]
Sent: 2/11/2022 1:08:11 PM
To: Goffman, Joseph [Goffman.Joseph@epa.gov]
Subject: RE: Precleared: Joseph Goffman

I have some additional info on this whenever we can find the time. Happy to talk over the weekend.

From: Goffman, Joseph <Goffman.Joseph@epa.gov>
Sent: Thursday, February 10, 2022 1:18 PM
To: Utech, Dan <Utech.Dan@epa.gov>
Subject: FW: Precleared: Joseph Goffman

Been meaning to ask you about the highlighted text. Justina and her team are wise and knowing in a great many things, but this seems way out of her lane.

Now, after this morning's live-round firefight I have even more questions about whether any of this is heading anywhere.

Thanks.

Joseph Goffman
Principal Deputy Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Fugh, Justina <Fugh.Justina@epa.gov>
Sent: Friday, February 4, 2022 6:11 PM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Cc: Griffo, Shannon <Griffo.Shannon@epa.gov>
Subject: FW: Precleared: Joseph Goffman

Hey Joe –

Good news! OGE just precleared you, and I heard from Adam Raviv that they have your report and ethics agreement. Woo hoo! What's next is for the President to nominate you formally. When that happens, Shannon will be back in touch with you to get you to sign the nominee report and the ethics agreement.

Have a great weekend!

Justina

Justina Fugh (she/her) | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

From: Clarke, Victoria [clarke.victoria@epa.gov]
Sent: 4/9/2021 3:24:51 PM
To: Goffman, Joseph [Goffman.Joseph@epa.gov]
Subject: RE: Recusal Statement
Attachments: RE: Goffman [Ex: 6 Personal Privacy (PP)] RE: CD Request Letter

Hi Joe,

You're certainly not a bother. [REDACTED] has filled out her portion of the letter and I have been looking at that and populating OGE's submittal PDF. Does [REDACTED] [Ex: 6 Personal Privacy (PP)] need to add anything? Or is [REDACTED] [Ex: 6 Personal Privacy (PP)] letter back to me the entire universe for you?

Victoria

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Goffman, Joseph <Goffman.Joseph@epa.gov>
Sent: Thursday, April 08, 2021 9:45 PM
To: Clarke, Victoria <clarke.victoria@epa.gov>
Subject: FW: Recusal Statement

No rest for the weary, Victoria, and sorry to bug you so soon after concluding the Recusal Statement, but where are we in terms of completing the application for a certificate of divesture for the stocks listed below? Do you have everything you need to complete the request documents? As I mentioned in my earlier note, I would like to accomplish the divestment as quickly as possible once the certificate of divesture is issued. Thanks.

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Clarke, Victoria <clarke.victoria@epa.gov>
Sent: Thursday, April 8, 2021 1:53 PM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Recusal Statement

Hi Joe,

I've certified your 278 and the next step now is to get a formalized recusal statement in place for you. I've drafted a recusal statement which Justina has reviewed – the final product of which is attached. If it is factually accurate and you're in agreement, you can digitally sign the recusal and distribute it.

One overall comment: in both your 278 and the recusal statement, there is a reference to the possibility of you seeking a certificate of divestiture to address any conflicts issues. When you eventually do divest of the assets below (whether through CD or otherwise), we will update and reissue your recusal statement so that it reflects your new situation.

- Ecolab Inc. (ECL)
- The Home Depot, Inc. (HD)
- ChampionX Corporation (CHX)
- Industrial Select Sector SPDR Fund (XLI)
- Canadian National Railway Company (CNI)
- Eaton Corporation plc (ETN)
- Fortive Corporation (FTV)
- Roper Technologies, Inc. (ROP)
- Dover Corporation (DOV)
- Broadcom, Inc (AVGO)
- Intel Corporation (INTC)
- NVIDIA Corporation (NVDA)
- QUALCOMM Incorporated (QCOM)
- Skywork Solutions, Inc. (SWKS)
- Texas Instruments Incorporated (TXN)

Hopefully, this is some nice chalk for any lingering heartburn.

Victoria

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

Message

From: Clarke, Victoria [clarke.victoria@epa.gov]
Sent: 5/14/2021 3:22:56 PM
To: Goffman, Joseph J [Goffman.Joseph@epa.gov]
CC: Ex. 6 Personal Privacy (PP)
Subject: RE: Ex. 6 Personal Privacy (PP) -- Statement of Divestiture

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Yes, thank you. We are in receipt.

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel | Ethics Office
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Goffman, Joseph <Goffman.Joseph@epa.gov>

Sent: Friday, May 14, 2021 10:52 AM

To: Ex. 6 Personal Privacy (PP)

Clarke, Victoria <clarke.victoria@epa.gov>;

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Cc: Ex. 6 Personal Privacy (PP)

Subject: RE: Ex. 6 Personal Privacy (PP) -- Statement of Divestiture

Thank you very much,

Ex. 6 Personal Privacy (PP)

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Ex. 6 Personal Privacy (PP)

Sent: Friday, May 14, 2021 10:37 AM

To: Clarke, Victoria <clarke.victoria@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>;

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Cc: Ex. 6 Personal Privacy (PP)

Subject: RE: Ex. 6 Personal Privacy (PP) -- Statement of Divestiture

Good morning,

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

From: Clarke, Victoria <clarke.victoria@epa.gov>

Sent: Thursday, May 13, 2021 9:34 AM

To: [Ex. 6 Personal Privacy (PP)] Goffman, Joseph <Goffman.Joseph@epa.gov>;

[Ex. 6 Personal Privacy (PP)]

Cc: [Ex. 6 Personal Privacy (PP)]

Subject: RE: [Ex. 6 Personal Privacy (PP)] -- Statement of Divestiture

Hi [Ex. 6 Personal Privacy (PP)]

Allow me to dispel any confusion! It doesn't contradict with my initial email and the statement is not asking you to divest yet — it is simply stating that you *will* divest, when the time comes.

Simply put, OGE will not issue a certificate of divestiture if the individuals that have control over the assets will not divest of the asset and they require an unequivocal statement of that fact. This requirement came directly from OGE and is also set out in OGE's Certificate of Divestiture regulations, 5 C.F.R. 2634.1005. The language in Joe's email similarly comes from communications that I have had with OGE about obtaining a certificate of divestiture for Joe. That is the language that they want to see.

Victoria

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel | Ethics Office
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: [Ex. 6 Personal Privacy (PP)]

Sent: Thursday, May 13, 2021 9:16 AM

To: Goffman, Joseph <Goffman.Joseph@epa.gov>; [Ex. 6 Personal Privacy (PP)]

Cc: [Ex. 6 Personal Privacy (PP)] Clarke, Victoria <clarke.victoria@epa.gov>

Subject: RE: [Ex. 6 Personal Privacy (PP)] -- Statement of Divestiture

Good morning,

The statement we are being asked to issue below appears to contradict Victoria's prior email telling us specifically not to divest the assets until you receive the certificate of divestiture. Why do we need to state that we will sell regardless of whether you get the CD?

Regards,

[Ex. 6 Personal Privacy (PP)]

From: Goffman, Joseph <Goffman.Joseph@epa.gov>

Sent: Wednesday, May 12, 2021 11:55 PM

To: [Ex. 6 Personal Privacy (PP)]

Cc: [Ex. 6 Personal Privacy (PP)] Clarke, Victoria <clarke.victoria@epa.gov>

Subject: [Ex. 6 Personal Privacy (PP)] -- Statement of Divestiture

Hello, [Ex. 6 Personal Privacy (PP)]

As always, thank you very much for your help and support in this matter. As you know, as part of helping me fulfill my obligations to eliminate conflicts of interest between our family's assets and my official duties as a senior appointee at the Environmental Protection Agency, **Ex. 6 Personal Privacy (PP)** as beneficiary, has agreed to the sale of certain stocks in the **Ex. 6 Personal Privacy (PP)**. Could you please send back from your email by "reply all" the following statements?

Ex. 6 Personal Privacy (PP)

Again, many thanks for your help.

Best,
Joe

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

The information contained in this e-mail, and any attachment, is confidential and is intended solely for the use of the intended recipient. Access, copying or re-use of the e-mail or any attachment, or any information contained therein, by any other person is not authorized. If you are not the intended recipient please return the e-mail to the sender and delete it from your computer. Although we attempt to sweep e-mail and attachments for viruses, we do not guarantee that either are virus-free and accept no liability for any damage sustained as a result of viruses.

Please refer to **Ex. 6 Personal Privacy (PP)** for certain disclosures relating to European legal entities. We take our data protection and privacy responsibilities seriously and our privacy notice explains how we collect, use and share personal information in the course of our business activities. It can be accessed at the privacy section of

Ex. 6 Personal Privacy (PP)

The information contained in this e-mail, and any attachment, is confidential and is intended solely for the use of the intended recipient. Access, copying or re-use of the e-mail or any attachment, or any information contained therein, by any other person is not authorized. If you are not the intended recipient please return the e-mail to the sender and delete it from your computer. Although we attempt to sweep e-mail and attachments for viruses, we do not guarantee that either are virus-free and accept no liability for any damage sustained as a result of viruses.

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Ex. 6 Personal Privacy (PP)

Message

From: Joseph Goffman [Ex. 6 Personal Privacy (PP)]
Sent: 6/28/2021 5:55:10 PM
To: [Ex. 6 Personal Privacy (PP)]
CC: [Ex. 6 Personal Privacy (PP)]
[Ex. 6 Personal Privacy (PP)]; Clarke, Victoria
[clarke.victoria@epa.gov]; [Ex. 6 Personal Privacy (PP)]
Subject: Re: Sales Can Now Proceed.

Thanks very much [Ex. 6 Personal Privacy (PP)]

On Mon, Jun 28, 2021 at 1:35 PM [Ex. 6 Personal Privacy (PP)] wrote:

Joe,
Sales have taken place.

Good luck

[Ex. 6 Personal Privacy (PP)]

From: Joseph Goffman [Ex. 6 Personal Privacy (PP)]
Sent: Monday, June 28, 2021 1:27 PM
To: [Ex. 6 Personal Privacy (PP)]
Cc: [Ex. 6 Personal Privacy (PP)]
[Ex. 6 Personal Privacy (PP)]
[Ex. 6 Personal Privacy (PP)]; Clarke, Victoria <clarke.victoria@epa.gov> [Ex. 6 Personal Privacy (PP)]
[Ex. 6 Personal Privacy (PP)]
Subject: Re: Sales Can Now Proceed.

Hi [Ex. 6 Personal Privacy (PP)] Just checking in to see if there is anything to report by way of progress in responding to [Ex. 6 Personal Privacy (PP)] note of a week ago. Thanks.

On Mon, Jun 21, 2021 at 6:28 PM [Ex. 6 Personal Privacy (PP)] wrote:

Dear everyone,

I'm following up Joe's e-mail. He sent me the Certificates of Divestiture in a separate email this afternoon. I am writing to direct sales of the stocks that are [Ex. 6 Personal Privacy (PP)]
[Ex. 6 Personal Privacy (PP)] I hope you can proceed promptly with this. Like Joe, I'm truly grateful for all your hard work.

Sincerely,

[Ex. 6 Personal Privacy (PP)]

On Mon, Jun 21, 2021 at 6:23 PM Joseph Goffman [Ex. 6 Personal Privacy (PP)] wrote:

Adding Ex. 6 Personal Privacy (PP)

On Mon, Jun 21, 2021 at 6:18 PM Joseph Goffman Ex. 6 Personal Privacy (PP) wrote:

H, All.

Please find attached the certificates of divestiture issued by the Office of Government Ethics allowing the sales of the stocks enumerated in each certificate to go forward without exposure to capital gains taxation. Accordingly, please arrange for the sales as soon as possible. To the extent that the stocks are under my ownership, I hereby authorize the sales.

I am copying Victoria Clarke, with whom you have already worked on this matter, in case there are any questions.

I really appreciate the patience and effort you all have put into this. Many, many thanks.

Best,

Joe

The information contained in this e-mail, and any attachment, is confidential and is intended solely for the use of the intended recipient. Access, copying or re-use of the e-mail or any attachment, or any information contained therein, by any other person is not authorized. If you are not the intended recipient please return the e-mail to the sender and delete it from your computer. Although we attempt to sweep e-mail and attachments for viruses, we do not guarantee that either are virus-free and accept no liability for any damage sustained as a result of viruses.

Please refer to (b) (6) for certain disclosures relating to European legal entities. Please note that we may use tracking pixels to monitor your interaction with reports and data delivered via this email. We take our data protection and privacy responsibilities seriously and our privacy notice explains how we collect, use and share personal information in the course of our business activities. It can be accessed at the privacy section of (b) (6)

Message

From: Goffman, Joseph [Goffman.Joseph@epa.gov]
Sent: 6/30/2021 4:50:37 PM
To: Clarke, Victoria [clarke.victoria@epa.gov]
CC: Fugh, Justina [Fugh.Justina@epa.gov]; Griffo, Shannon [Griffo.Shannon@epa.gov]; Nunez, Alejandra [Nunez.Alejandra@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Kim, Eunjung [Kim.Eun@epa.gov]; Shaw, Betsy [Shaw.Betsy@epa.gov]; Campbell, Ann [Campbell.Ann@epa.gov]
Subject: RE: Your Updated Recusal Statement
Attachments: Joe Goffman Updated Recusal - For Digital Signature.pdf

Thank you, Victoria and Everyone.

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Clarke, Victoria <clarke.victoria@epa.gov>
Sent: Tuesday, June 29, 2021 6:15 PM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>; Griffo, Shannon <Griffo.Shannon@epa.gov>
Subject: Your Updated Recusal Statement

Hi Joe,

As promised, I've attached your updated recusal statement.

The companies we sought a CD for have been removed and the corresponding sectors have been removed. You may notice that the sector names may look a little different than the first recusal statement – that's because we've been standardizing how we classify companies and sectors in OGC Ethics. Before you sign, make sure to double check with [redacted] that any of the companies that were held in [redacted] Ex. 6 Personal Privacy (PP) have likewise been sold. Based on my phone call with her last week I believe that to be the case, but best to be sure.

As always, if you have any questions, please don't hesitate to reach out.

Victoria

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel | Ethics Office
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

Message

From: Joseph Goffman [Ex. 6 Personal Privacy (PP)]
Sent: 2/24/2021 3:36:22 AM
To: [Ex. 6 Personal Privacy (PP)] Duross, Jeanne M. EOP/WHO [Ex. 6 Personal Privacy (PP)]
Fugh, Justina [Fugh.Justina@epa.gov]; Clarke, Victoria [clarke.victoria@epa.gov]
Subject: Fwd: Hello From EPA Ethics!
Attachments:

Ex. 6 Personal Privacy (PP)

Please see below confirming [Ex. 6 Personal Privacy (PP)] Thanks.

----- Forwarded message -----

From: [Ex. 6 Personal Privacy (PP)]
Date: Tue, Feb 23, 2021 at 10:33 PM
Subject: RE: Hello From EPA Ethics!
To: Joseph Goffman [Ex. 6 Personal Privacy (PP)]

Dear Joe,

Yes, we confirm that you and [Ex. 6 Personal Privacy (PP)]
[Ex. 6 Personal Privacy (PP)] Please let me know if you have any
questions.

All the best,

[Ex. 6 Personal Privacy (PP)]

Ex. 6 Personal Privacy (PP)

From: Joseph Goffman [Ex. 6 Personal Privacy (PP)]
Sent: Tuesday, February 23, 2021 9:42 PM
To: [Ex. 6 Personal Privacy (PP)]
[Ex. 6 Personal Privacy (PP)] Duross, Jeanne M. EOP/WHO <[Ex. 6 Personal Privacy (PP)]>
[Ex. 6 Personal Privacy (PP)]
Subject: Re: Hello From EPA Ethics!

Hello, All. I am writing to confirm that

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

In addition, I also want to confirm that

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Thanks.

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

On Tue, Jan 19, 2021 at 9:16 AM

Ex. 6 Personal Privacy (PP)

wrote:

Dear Joe,

We will

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

All best,

Ex. 6 Personal Privacy (PP)

From: Joseph Goffman **Ex. 6 Personal Privacy (PP)**

Sent: Monday, January 18, 2021 7:17 PM

To: **Ex. 6 Personal Privacy (PP)**

Ex. 6 Personal Privacy (PP); Fugh, Justina <fugh.justina@epa.gov>; Clarke, Victoria <clarke.victoria@epa.gov>

Subject: Fwd: Hello From EPA Ethics!

Hello **Ex. 6 Personal Privacy (PP)** As I previewed for you last week, I will be joining the Biden-Harris administration and as was the case when I worked for the Obama administration I must observe ethics obligations in the combination of work I do and equities **Ex. 6 Personal Privacy (PP)** and I own. In addition to introducing you to Victoria Clarke and re-introducing you to Justina Fugh of EPA's Office of General Counsel, **Ex. 6 Personal Privacy (PP)** and I are instructing you with this note to sell the stocks listed in the table below immediately. There is a reasonable chance that I will be sworn into my new role before the end of the week and will begin work immediately. Hence, the need for speed and the willingness to forego a certificate of divestiture and incur capital gains liability.

Please also read the explanatory note below for background and what to anticipate going forward.

Thank you very much in advance for your prompt action in this matter.

Best,
Joe

----- Forwarded message -----

From: **Clarke, Victoria** <clarke.victoria@epa.gov>

Date: Mon, Jan 18, 2021 at 11:57 AM

Subject: RE: Hello From EPA Ethics!

To: Joseph Goffman **Ex. 6 Personal Privacy (PP)**

Cc: Fugh, Justina <Fugh.Justina@epa.gov>

Hi Joe!

It was a pleasure to speak with you this morning! As promised, I wanted to recap our discussion and provide you with a written copy of my counseling advice, as well as any further thoughts I might have. I've circled up with Justina about this, too.

As I understand it, you have a fairly good idea of what the Office of Air and Radiation's priorities are. You expect that you'll be directed to work on regulations relating to the oil and gas sector, the power sector, the automobile sector, and the chemical sector (hydrofluorocarbons). You would like to work on all these things.

Now, given your holdings, work in some of these issues will be problematic and pose a financial conflict of interest. in:

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

I also want to note something thing that we did not discuss this morning. Justina flagged that you have

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

At minimum, this is likely to have implications for regulations related to nonroad emissions. If you wish to voluntarily divest yourself of this asset prior to starting at EPA, that is your prerogative to do so. If you don't divest, this asset will go on your recusal statement and, if necessary, we can seek a Certificate of Divestiture (CD) from the Office of Government Ethics once you start. As you can imagine, a CD doesn't happen overnight; more likely it can take several weeks to be issued and there's no guarantee that the Office of Government Ethics will even issue it.

We also discussed that you do have other assets in areas that could be implicated by the work that you do in OAR. For example, we discussed that you have **Ex. 6 Personal Privacy (PP)** that could implicate work that occurs under Sections 112(d) and (f) of the Clean Air Act. For now, it seems unlikely that you will work personally and substantially on particular matters that will have a direct and predictable effect on those financial interests. However, those assets will still be incorporated into your recusal statement. If at some point you need to work on such things, then we can again explore the option of obtaining a CD.

If you have any questions or want to discuss further, I'm happy to chat. Hopefully, this will help get you ready to start.

Victoria

Victoria Clarke

Attorney-Advisor

U.S. Environmental Protection Agency

Office of General Counsel

Washington, D.C. | 7348 WJCN

EPA Office: 202-564-1149

EPA Cell: 202-336-9101

From: Joseph Goffman **Ex. 6 Personal Privacy (PP)**

Sent: Sunday, January 17, 2021 6:56 PM

To: Clarke, Victoria <clarke.victoria@epa.gov>

Cc: Fugh, Justina <Fugh.Justina@epa.gov>

Subject: Re: Hello From EPA Ethics!

Thank you.

On Sun, Jan 17, 2021 at 3:54 PM Clarke, Victoria <clarke.victoria@epa.gov> wrote:

I'll set us up with Microsoft Teams. That way, I can show you my screen (if need be). If it fails, I'll give you a call directly.

Look for a calendar invite shortly.

Speak with you tomorrow!

Victoria

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Joseph Goffman { Ex. 6 Personal Privacy (PP) }
Sent: Sunday, January 17, 2021 6:52 PM
To: Clarke, Victoria <clarke.victoria@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Re: Hello From EPA Ethics!

OK. Do you want to just call me at 9:30 or use a video app? My phone is { Ex. 6 Personal Privacy (PP) } Thanks.

On Sun, Jan 17, 2021 at 3:49 PM Clarke, Victoria <clarke.victoria@epa.gov> wrote:

I'll go ahead and get us on the calendar for 9:30 AM. That way, you've got some time to think and plan.

Victoria

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Joseph Goffman { Ex. 6 Personal Privacy (PP) }
Sent: Sunday, January 17, 2021 6:46 PM

To: Clarke, Victoria <clarke.victoria@epa.gov>

Cc: Fugh, Justina <Fugh.Justina@epa.gov>

Subject: Re: Hello From EPA Ethics!

Hi, Victoria. Thank you so much for doing this -- and on a holiday weekend! Much appreciated. I am eager to get this done. I am free between 9:30 and 10:30 and between 1 and 3. I can move a 3 now on my schedule if that is the time that works best for you. Thanks, again.

On Sun, Jan 17, 2021 at 6:41 PM Clarke, Victoria <clarke.victoria@epa.gov> wrote:

Hi Joe!

My name is Victoria Clarke, and I'm an ethics attorney at EPA. I am working with Justina to review the financial information that you've submitted to us. In fact, I'm crunching all your numbers as we speak!

I was hoping to talk to you sometime tomorrow about your assets, and what you will need to divest prior to joining EPA in order to hit the ground running. What would be the best time for you?

Thank you!

Victoria

Victoria Clarke

Attorney-Advisor

U.S. Environmental Protection Agency

Office of General Counsel

Washington, D.C. | 7348 WJCN

EPA Office: 202-564-1149

EPA Cell: 202-336-9101

Amazon Subsidiaries

SUBSIDIARY	WHAT IT DOES	AFFECTED SECTOR
A9.com	researching and building innovative tech	Technology innovation
Amazon Maritime, Inc	[HYPERLINK "https://en.wikipedia.org/wiki/Federal_Maritime_Commission" \o "Federal Maritime Commission"] license to operate as a [HYPERLINK "https://en.wikipedia.org/wiki/NVOCC" \o "NVOCC"] (NVOCC)	Shipping
Amazon Robotics	mobile robotic storage and retrieval system	Robotic manufacturing
Annapurna Labs	Israel-based microelectronics company	Microelectronic manufacturing
Audible.com	seller and producer of spoken audio entertainment, information and educational programming on the Internet	Audiobooks
Beijing Century Joyo Courier Services	applied for a [HYPERLINK "https://en.wikipedia.org/wiki/Freight_forwarder" \o "Freight forwarder"] license with the [HYPERLINK "https://en.wikipedia.org/wiki/Federal_Maritime_Commission" \o "Federal Maritime Commission"] potentially compete with [HYPERLINK "https://en.wikipedia.org/wiki/United_Parcel_Service" \o "United Parcel Service"] and [HYPERLINK "https://en.wikipedia.org/wiki/FedEx" \o "FedEx"].	Courier services
Brilliance Audio	audiobook publisher	Audiobooks
ComiXology	[HYPERLINK "https://en.wikipedia.org/wiki/Cloud_computing" \o	e-publisher

	"Cloud computing"]-based digital comics platform	
CreateSpace	self-publishing services for independent content creators, publishers, film studios, and music labels	e-publisher service
Eero	manufactures mesh-capable routers	Tech manufacturer
Goodreads	"[HYPERLINK "https://en.wikipedia.org/wiki/Social_cataloging" \o "Social cataloging"]" website for books, annotations, and reviews.	e-books
Health Navigator	developing [HYPERLINK "https://en.wikipedia.org/wiki/Application_programming_interface" \o "Application programming interface"] for online health services. Part of Amazon Care, which is the company's employee healthcare service. Includes [HYPERLINK "https://en.wikipedia.org/wiki/PillPack" \o "PillPack"].	Health care including retail pharmacy services
IMDb [HYPERLINK "https://en.wikipedia.org/wiki/IMDb" \o "IMDb"]	online database of information related to films, television programs, home videos, video games, and streaming content online	Website database
Kuiper Systems	large [HYPERLINK "https://en.wikipedia.org/wiki/Broadband" \o "Broadband"] [HYPERLINK "https://en.wikipedia.org/wiki/Satellite_internet_constellation" \o "Satellite internet constellation"], including high-performance satellites, terrestrial [HYPERLINK "https://en.wikipedia.org/wiki/Gateway_(telecommunications)" \o "Gateway (telecommunications)"], internetworking technologies, and a range of customer terminals	Satellites, broadband communications
Lab126	Developers of integrated consumer electronics	Consumer electronics

Ring	home automation company; manufacturer of security cameras	Home security and tech manufacturer
Shopbop	online fashion apparel and accessories store	e-vendor
Souq	largest [HYPERLINK "https://en.wikipedia.org/wiki/Ecommerce_platform" \o "Ecommerce platform"] in the Middle East	e-vendor
Teachstreet	Provider of information to students online classes; teacher background and training; provider of online business management tools for teachers and schools.	Educational services
Twitch	L[HYPERLINK "https://en.wikipedia.org/wiki/Live_streaming" \o "Live streaming"] platform for video, video gaming content	Digital platform and e-vendor
Whole Foods Market	American [HYPERLINK "https://en.wikipedia.org/wiki/Supermarket" \o "Supermarket"] [HYPERLINK "https://en.wikipedia.org/wiki/Chain_store" \o "Chain store"] exclusively featuring foods without artificial preservatives, colors, flavors, sweeteners, and hydrogenated fats	supermarket
[HYPERLINK "https://en.wikipedia.org/wiki/Zappos" \o "Zappos"]	Online shoe store	e-vendor

Message

From: Ex. 6 Personal Privacy (PP)
Sent: 2/24/2021 11:24:19 AM
To: Joseph Goffman; Ex. 6 Personal Privacy (PP)
CC: Fugh, Justina [Fugh.Justina@epa.gov]; Ex. 6 Personal Privacy (PP); Duross, Jeanne M.
EOP/WHO; Ex. 6 Personal Privacy (PP); Clarke, Victoria [clarke.victoria@epa.gov]
Subject: Re: Hello From EPA Ethics!

Dear All,

The positions were sold on the 19th, but the trades settled on the 21st.

Best,

Ex. 6 Personal Privacy (PP)

On Feb 23, 2021, at 11:51 PM, Joseph Goffman <Ex. 6 Personal Privacy (PP)> wrote:

Adding [Ex. 6 Personal Privacy (PP)], who perhaps can enlighten all of us on the correct dates. The report in question (278-T) lists January 19 as the date for the [Ex. 6 Personal Privacy (PP)] documents attached to the email you sent me earlier this evening, [Ex. 6 Personal Privacy (PP)] were dated January 21, which I relayed to the others on this email. Thanks.

On Tue, Feb 23, 2021 at 11:10 PM Fugh, Justina <Fugh.Justina@epa.gov> wrote:

Then the 278T you submitted has incorrect dates for the [Ex. 6 Personal Privacy (PP)]

From: Joseph Goffman <Ex. 6 Personal Privacy (PP)>
Sent: Tuesday, February 23, 2021 10:36 PM
To: Ex. 6 Personal Privacy (PP); Duross, Jeanne M. EOP/WHO
Ex. 6 Personal Privacy (PP); Fugh, Justina <Fugh.Justina@epa.gov>; Clarke, Victoria <clarke.victoria@epa.gov>
Subject: Fwd: Hello From EPA Ethics!

Please see below confirming the [Ex. 6 Personal Privacy (PP)] Thanks.

----- Forwarded message -----

From: Ex. 6 Personal Privacy (PP)
Date: Tue, Feb 23, 2021 at 10:33 PM
Subject: RE: Hello From EPA Ethics!
To: Joseph Goffman <Ex. 6 Personal Privacy (PP)>

Dear Joe,

Yes, we confirm that you and

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Attached are the

Ex. 6 Personal Privacy (PP)

Please let me

know if you have any questions.

All the best,

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

From: Joseph Goffman <**Ex. 6 Personal Privacy (PP)**>

Sent: Tuesday, February 23, 2021 9:42 PM

To: **Ex. 6 Personal Privacy (PP)**

Ex. 6 Personal Privacy (PP)

Duross, Jeanne M. EOP/WHO

Ex. 6 Personal Privacy (PP)

Subject: Re: Hello From EPA Ethics!

Hello, All. I am writing to confirm that

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

In addition, I also want to confirm that

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Thanks.

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

On Tue, Jan 19, 2021 at 9:16 AM **Ex. 6 Personal Privacy (PP)** wrote:

Dear Joe,

We will **Ex. 6 Personal Privacy (PP)**

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

All best,

Ex. 6 Personal Privacy (PP)

From: Joseph Goffman [Ex. 6 Personal Privacy (PP)]

Sent: Monday, January 18, 2021 7:17 PM

To: [Ex. 6 Personal Privacy (PP)]

Ex. 6 Personal Privacy (PP)

Fugh, Justina

<fugh.justina@epa.gov>; Clarke, Victoria <clarke.victoria@epa.gov>

Subject: Fwd: Hello From EPA Ethics!

Hello, [Ex. 6 Personal Privacy (PP)] As I previewed for you last week, I will be joining the Biden-Harris administration and as was the case when I worked for the Obama administration I must observe ethics obligations in the combination of work I do and equities [Ex. 6 Personal Privacy (PP)] and I own. In addition to introducing you to Victoria Clarke and re-introducing you to Justina Fugh of EPA's Office of General Counsel, [Ex. 6 Personal Privacy (PP)] and I are instructing you with this note to sell the stocks listed in the table below immediately. There is a reasonable chance that I will be sworn into my new role before the end of the week and will begin work immediately. Hence, the need for speed and the willingness to forego a certificate of divestiture and incur capital gains liability.

Please also read the explanatory note below for background and what to anticipate going forward.

Thank you very much in advance for your prompt action in this matter.

Best,

Joe

----- Forwarded message -----

From: Clarke, Victoria <clarke.victoria@epa.gov>

Date: Mon, Jan 18, 2021 at 11:57 AM

Subject: RE: Hello From EPA Ethics!

To: Joseph Goffman [Ex. 6 Personal Privacy (PP)]

Cc: Fugh, Justina <Fugh.Justina@epa.gov>

Hi Joe!

It was a pleasure to speak with you this morning! As promised, I wanted to recap our discussion and provide you with a written copy of my counseling advice, as well as any further thoughts I might have. I've circled up with Justina about this, too.

As I understand it, you have a fairly good idea of what the Office of Air and Radiation's priorities are. You expect that you'll be directed to work on regulations relating to the oil and gas sector, the power sector, the automobile sector, and the chemical sector (hydrofluorocarbons). You would like to work on all these things.

Now, given your holdings, work in some of these issues will be problematic and pose a financial conflict of interest.

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP) in:

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

I also want to note something thing that we did not discuss this morning. Justina flagged that you have

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

At minimum, this is likely to have

implications for regulations related to nonroad emissions. If you wish to voluntarily divest yourself of this asset prior to starting at EPA, that is your prerogative to do so. If you don't divest, this asset will go on your recusal statement and, if necessary, we can seek a Certificate of Divestiture (CD) from the Office of Government Ethics

once you start. As you can imagine, a CD doesn't happen overnight; more likely it can take several weeks to be issued and there's no guarantee that the Office of Government Ethics will even issue it.

We also discussed that you do have other assets in areas that could be implicated by the work that you do in OAR. For example, we discussed that you have **Ex. 6 Personal Privacy (PP)** that could implicate work that occurs under Sections 112(d) and (f) of the Clean Air Act. For now, it seems unlikely that you will work personally and substantially on particular matters that will have a direct and predictable effect on those financial interests. However, those assets will still be incorporated into your recusal statement. If at some point you need to work on such things, then we can again explore the option of obtaining a CD.

If you have any questions or want to discuss further, I'm happy to chat. Hopefully, this will help get you ready to start.

Victoria

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Joseph Goffman **Ex. 6 Personal Privacy (PP)**
Sent: Sunday, January 17, 2021 6:56 PM
To: Clarke, Victoria <clarke.victoria@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Re: Hello From EPA Ethics!

Thank you.

On Sun, Jan 17, 2021 at 3:54 PM Clarke, Victoria <clarke.victoria@epa.gov> wrote:

I'll set us up with Microsoft Teams. That way, I can show you my screen (if need be). If it fails, I'll give you a call directly.

Look for a calendar invite shortly.

Speak with you tomorrow!

Victoria

Victoria Clarke

Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Joseph Goffman [Ex. 6 Personal Privacy (PP)]
Sent: Sunday, January 17, 2021 6:52 PM
To: Clarke, Victoria <clarke.victoria@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Re: Hello From EPA Ethics!

OK. Do you want to just call me at 9:30 or use a video app? My phone is [Ex. 6 Personal Privacy (PP)] Thanks.

On Sun, Jan 17, 2021 at 3:49 PM Clarke, Victoria <clarke.victoria@epa.gov> wrote:

I'll go ahead and get us on the calendar for 9:30 AM. That way, you've got some time to think and plan.

Victoria

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Joseph Goffman [Ex. 6 Personal Privacy (PP)]
Sent: Sunday, January 17, 2021 6:46 PM
To: Clarke, Victoria <clarke.victoria@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Re: Hello From EPA Ethics!

Hi, Victoria. Thank you so much for doing this -- and on a holiday weekend! Much appreciated. I am eager to get this done. I am free between 9:30 and 10:30 and between 1 and 3. I can move a 3 now on my schedule if that is the time that works best for you. Thanks, again.

On Sun, Jan 17, 2021 at 6:41 PM Clarke, Victoria <clarke.victoria@epa.gov> wrote:

Hi Joe!

My name is Victoria Clarke, and I'm an ethics attorney at EPA. I am working with Justina to review the financial information that you've submitted to us. In fact, I'm crunching all your numbers as we speak!

I was hoping to talk to you sometime tomorrow about your assets, and what you will need to divest prior to joining EPA in order to hit the ground running. What would be the best time for you?

Thank you!

Victoria

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EPA Cell: 202-336-9101

Message

From: Ex. 6 Personal Privacy (PP)
Sent: 2/24/2021 1:52:46 PM
To: 'Joseph Goffman' Ex. 6 Personal Privacy (PP); Fugh, Justina [Fugh.Justina@epa.gov]
CC: Ex. 6 Personal Privacy (PP); Duross, Jeanne M. EOP/WHO Ex. 6 Personal Privacy (PP)
Clarke, Victoria [clarke.victoria@epa.gov]
Subject: RE: Hello From EPA Ethics!

Page 3 on the confirmations list trade date (1/19) and settlement date (1/21).
Let me know if you have any questions.

Ex. 6 Personal Privacy (PP)

From: Joseph Goffman Ex. 6 Personal Privacy (PP)
Sent: Tuesday, February 23, 2021 11:52 PM
To: Fugh, Justina <Fugh.Justina@epa.gov> Ex. 6 Personal Privacy (PP)
Ex. 6 Personal Privacy (PP); Duross, Jeanne M. EOP/WHO
Ex. 6 Personal Privacy (PP); Clarke, Victoria <clarke.victoria@epa.gov>
Subject: Re: Hello From EPA Ethics!

Adding [redacted] who perhaps can enlighten all of us on the correct dates. The report in question (278-T) lists January 19 as the date [redacted] Ex. 6 Personal Privacy (PP) documents attached to the email you sent me earlier this evening [redacted] Ex. 6 Personal Privacy (PP) were dated January 21, which I relayed to the others on this email. Thanks.

On Tue, Feb 23, 2021 at 11:10 PM Fugh, Justina <Fugh.Justina@epa.gov> wrote:

Then the 278T you submitted has incorrect dates for the [redacted] Ex. 6 Personal Privacy (PP)

From: Joseph Goffman Ex. 6 Personal Privacy (PP)
Sent: Tuesday, February 23, 2021 10:36 PM
To: Ex. 6 Personal Privacy (PP); Duross, Jeanne M. EOP/WHO
<Jeanne.M.Duross@Ex. 6 Personal Privacy (PP)> Fugh, Justina <Fugh.Justina@epa.gov>; Clarke, Victoria <clarke.victoria@epa.gov>
Subject: Fwd: Hello From EPA Ethics!

Please see below confirming the [redacted] Ex. 6 Personal Privacy (PP). Thanks.

----- Forwarded message -----
From: Ex. 6 Personal Privacy (PP)

Date: Tue, Feb 23, 2021 at 10:33 PM

Subject: RE: Hello From EPA Ethics!

To: Joseph Goffman **Ex. 6 Personal Privacy (PP)**

Dear Joe,

Yes, we confirm that you and **Ex. 6 Personal Privacy (PP)**

Ex. 6 Personal Privacy (PP) Attached are the **Ex. 6 Personal Privacy (PP)** Please let me know if you have any questions.

All the best,

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

From: Joseph Goffman **Ex. 6 Personal Privacy (PP)**

Sent: Tuesday, February 23, 2021 9:42 PM

To: **Ex. 6 Personal Privacy (PP)**

Ex. 6 Personal Privacy (PP)

Duross, Jeanne M. EOP/WHO

Ex. 6 Personal Privacy (PP)

Subject: Re: Hello From EPA Ethics!

Hello, All. I am writing to confirm that neither **Ex. 6 Personal Privacy (PP)**

Ex. 6 Personal Privacy (PP)

In addition, I also want to confirm that **Ex. 6 Personal Privacy (PP)**

Ex. 6 Personal Privacy (PP)

Thanks.

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

On Tue, Jan 19, 2021 at 9:16 AM

Ex. 6 Personal Privacy (PP)

wrote:

Dear Joe,

We will

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

All best,

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

From: Joseph Goffman **Ex. 6 Personal Privacy (PP)**
Sent: Monday, January 18, 2021 7:17 PM
To: **Ex. 6 Personal Privacy (PP)**
Ex. 6 Personal Privacy (PP); Fugh, Justina
<fugh.justina@epa.gov>; Clarke, Victoria <clarke.victoria@epa.gov>
Subject: Fwd: Hello From EPA Ethics!

Hello **Ex. 6 Personal Privacy (PP)** As I previewed for you last week, I will be joining the Biden-Harris administration and as was the case when I worked for the Obama administration I must observe ethics obligations in the combination of work I do and equities **Ex. 6 Personal Privacy (PP)** and I own. In addition to introducing you to Victoria Clarke and re-introducing you to Justina Fugh of EPA's Office of General Counsel, **Ex. 6 Personal Privacy (PP)** and I are instructing you with this note to sell the stocks listed in the table below immediately. There is a reasonable chance that I will be sworn into my new role before the end of the week and will begin work immediately. Hence, the need for speed and the willingness to forego a certificate of divestiture and incur capital gains liability.

Please also read the explanatory note below for background and what to anticipate going forward.

Thank you very much in advance for your prompt action in this matter.

Best,
Joe

----- Forwarded message -----
From: Clarke, Victoria <clarke.victoria@epa.gov>
Date: Mon, Jan 18, 2021 at 11:57 AM
Subject: RE: Hello From EPA Ethics!
To: Joseph Goffman **Ex. 6 Personal Privacy (PP)**
Cc: Fugh, Justina <Fugh.Justina@epa.gov>

Hi Joe!

It was a pleasure to speak with you this morning! As promised, I wanted to recap our discussion and provide you with a written copy of my counseling advice, as well as any further thoughts I might have. I've circled up with Justina about this, too.

As I understand it, you have a fairly good idea of what the Office of Air and Radiation's priorities are. You expect that you'll be directed to work on regulations relating to the oil and gas sector, the power sector, the automobile sector, and the chemical sector (hydrofluorocarbons). You would like to work on all these things.

Now, given your holdings, work in some of these issues will be problematic and pose a financial conflict of interest.

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP) in:

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

I also want to note something thing that we did not discuss this morning. Justina flagged that you have

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

At minimum, this is likely to have implications for regulations related to nonroad emissions. If you wish to voluntarily divest yourself of this asset

prior to starting at EPA, that is your prerogative to do so. If you don't divest, this asset will go on your recusal statement and, if necessary, we can seek a Certificate of Divestiture (CD) from the Office of Government Ethics once you start. As you can imagine, a CD doesn't happen overnight; more likely it can take several weeks to be issued and there's no guarantee that the Office of Government Ethics will even issue it.

We also discussed that you do have other assets in areas that could be implicated by the work that you do in OAR. For example, we discussed that you have **Ex. 6 Personal Privacy (PP)** that **Ex. 6 Personal Privacy (PP)** For now, it seems unlikely that you will work personally and substantially on particular matters that will have a direct and predictable effect on those financial interests. However, those assets will still be incorporated into your recusal statement. If at some point you need to work on such things, then we can again explore the option of obtaining a CD.

If you have any questions or want to discuss further, I'm happy to chat. Hopefully, this will help get you ready to start.

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From: Joseph Goffman **Ex. 6 Personal Privacy (PP)**
Sent: Sunday, January 17, 2021 6:56 PM
To: Clarke, Victoria <clarke.victoria@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Re: Hello From EPA Ethics!

Thank you.

On Sun, Jan 17, 2021 at 3:54 PM Clarke, Victoria <clarke.victoria@epa.gov> wrote:

I'll set us up with Microsoft Teams. That way, I can show you my screen (if need be). If it fails, I'll give you a call directly.

Look for a calendar invite shortly.

Speak with you tomorrow!

Victoria

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From: Joseph Goffman Ex. 6 Personal Privacy (PP)
Sent: Sunday, January 17, 2021 6:52 PM
To: Clarke, Victoria <clarke.victoria@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Re: Hello From EPA Ethics!

OK. Do you want to just call me at 9:30 or use a video app? My phone is Ex. 6 Personal Privacy (PP) Thanks.

On Sun, Jan 17, 2021 at 3:49 PM Clarke, Victoria <clarke.victoria@epa.gov> wrote:

I'll go ahead and get us on the calendar for 9:30 AM. That way, you've got some time to think and plan.

Victoria

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I was hoping to talk to you sometime tomorrow about your assets, and what you will need to divest prior to joining EPA in order to hit the ground running. What would be the best time for you?

Thank you!

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Attorney-Advisor

U.S. Environmental Protection Agency

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EPA Office: 202-564-1149

EPA Cell: 202-336-9101

Message

From: Fugh, Justina [Fugh.Justina@epa.gov]
Sent: 4/27/2021 7:41:41 PM
To: Griffo, Shannon [Griffo.Shannon@epa.gov]; Mosley, Ferne [mosley.ferne@epa.gov]; Clarke, Victoria [clarke.victoria@epa.gov]; Keith, Jennie [Keith.Jennie@epa.gov]; Ross, Margaret [Ross.Margaret@epa.gov]
Subject: FW: notification of (minor) pledge violation

Huh. Not helpful.

From: Olorunnipa, Funmi B. EOP/WHO **Ex. 6 Personal Privacy (PP)**
Sent: Tuesday, April 27, 2021 3:31 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: notification of (minor) pledge violation

Thank Justina. We defer to the agencies on whom to notify but your course of action below seems reasonable to me.

From: Fugh, Justina <Fugh.Justina@epa.gov>
Sent: Tuesday, April 27, 2021 1:42 PM
To: Olorunnipa, Funmi B. EOP/WHO **Ex. 6 Personal Privacy (PP)**
Subject: notification of (minor) pledge violation

Hi there,

One of our non-career SES appointees, Joseph Goffman, realized belatedly that he acted on an email sent by a representative of his former employer, which is a technical violation of Section 2 of Executive Order 13989. He did not respond directly to the requestor but did forward the email to a subordinate with a recommendation about how to proceed. He copied the career chief of staff on that email, who alerted the appointee to his error, so he notified me.

This appointee had issued a recusal statement that names the career chief of staff as his screener. In addition, my staff had provided all of the politicals and key career staff in this office with specialized training on invitations and recusals. Nevertheless, the oops occurred. To "unring the bell," I advised the subordinate to disregard the instructions from the appointee. I also contacted the requestor to explain that the appointee would not be available to meet and that, going forward, any further inquiries should be sent to the career chief of staff instead. And I have reminded the appointee to be more careful going forward.

Do you have any advice about whom else to notify about this minor pledge violation?

Justina

Justina Fugh | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

From: Goffman, Joseph [Goffman.Joseph@epa.gov]
Sent: 4/30/2021 6:55:48 PM
To: Clarke, Victoria [clarke.victoria@epa.gov]
Subject: RE: Sales
Attachments: 3. Employee Request Letter - Goffman SIGNED.pdf

Thank you!

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Clarke, Victoria <clarke.victoria@epa.gov>
Sent: Friday, April 30, 2021 2:47 PM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Subject: RE: Sales

Hi Joe,

I've got your request letter all prepared and ready for your digital signature.

I have the other materials all ready to go, just putting them together now for Justina to do the final once-over before I submit to OGE.

Victoria

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel | Ethics Office
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Goffman, Joseph <Goffman.Joseph@epa.gov>
Sent: Wednesday, April 28, 2021 4:37 PM
To: Clarke, Victoria <clarke.victoria@epa.gov>
Subject: RE: Sales

As always, Victoria, I am so very grateful for our help and diligence in all this.

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Clarke, Victoria <clarke.victoria@epa.gov>
Sent: Wednesday, April 28, 2021 4:24 PM

To: Goffman, Joseph <Goffman.Joseph@epa.gov>

Subject: FW: Sales

And on that note, Joe, OGE has confirmed for me that we *do not* need any other signed statements from your wife or children or the trustees as part of your CD package. A statement in the request letter explaining that you, your wife, and the trustees will divest if the CD is issued is sufficient for OGE's purposes.

So, no other work or documents need to be provided by you. When the letter is ready to be signed, I'll send it to you for digital signature.

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel | Ethics Office
Washington, D.C. | 7348 WJCN
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EPA Cell: 202-336-9101

From: Clarke, Victoria

Sent: Wednesday, April 28, 2021 4:22 PM

To: Ex. 6 Personal Privacy (PP) Goffman, Joseph <Goffman.Joseph@epa.gov>

Subject: RE: Sales

That is correct. Don't sell until we have the CD from OGE.

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel | Ethics Office
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Ex. 6 Personal Privacy (PP)

Sent: Wednesday, April 28, 2021 4:06 PM

To: Goffman, Joseph <Goffman.Joseph@epa.gov>; Clarke, Victoria <clarke.victoria@epa.gov>

Subject: Sales

Hi Joe,

I was just going to send email about divesting; just to confirm, we are still waiting for notice that the the CD has been issued before selling, correct?

Thanks,

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

From: Goffman, Joseph <Goffman.Joseph@epa.gov>

Sent: Wednesday, April 28, 2021 3:17 PM

To: **Ex. 6 Personal Privacy (PP)**

Ex. 6 Personal Privacy (PP)

Subject: FW: Thoughts/Update on your CD

Please see below re funds that do ***not*** need divestiture, including: "Given that OGE thinks **Ex. 6 Personal Privacy (PP)** is a diversified mutual fund, and there is no conflict of interest in you owning a diversified mutual fund, we do **not** need to request a CD for **Ex. 6 Personal Privacy (PP)**"

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Clarke, Victoria <clarke.victoria@epa.gov>

Sent: Wednesday, April 28, 2021 2:58 PM

To: Goffman, Joseph <Goffman.Joseph@epa.gov>

Subject: Thoughts/Update on your CD

Hi Joe,

Just to keep you informed of where we are on the CD, I gave Justina your CD letter to review late last week, and OGE is confirming for me if it needs confirmation from **Ex. 6 Personal Privacy (PP)** and if so, if email confirmation will be sufficient. I'm due shortly for a call with Elaine Newton to see where she is on that.

One thing that I did want to let you know is that in the process of working on nominee reports, OGE told Justina and I *today* that they do not consider the following funds to be "sector funds," (you know, those mutual funds that focus on a specific industry or sector and which can be problematic for filers) but rather consider these funds to be diversified mutual funds:

-
-
-
-
-

Ex. 6 Personal Privacy (PP)

If any of those look familiar, they should – because we're requesting a CD for your **Ex. 6 Personal Privacy (PP)**

Ex. 6 Personal Privacy (PP) Given that OGE thinks **Ex. 6 Personal Privacy (PP)** is a diversified mutual fund, and there is no conflict of interest in you owning a diversified mutual fund, we do **not** need to request a CD for **Ex. 6 Personal Privacy (PP)**

Victoria

Victoria Clarke

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EPA Cell: 202-336-9101

The contents of this e-mail and any attachments are confidential and for use solely by the intended recipients. If you are not the intended recipient, please notify us immediately by e-mail, and delete the original message. Delivery of this e-mail to any person other than an intended recipient does not waive privilege or confidentiality in any way. This information is for informational purposes only and is not an offer to buy, sell or recommend securities. Ex. 6 Personal Privacy (PP) claims compliance with the Global Investment Performance Standards (GIPS®). A compliant presentation is available at [REDACTED] Past performance is not indicative of future results.

Message

From: Clarke, Victoria [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=CLARKE, VICTORIA]
Sent: 1/21/2021 9:12:46 PM
To: Ex. 6 Personal Privacy (PP)
CC: 'Joseph Goffman' Ex. 6 Personal Privacy (PP) Fugh, Justina [Fugh.Justina@epa.gov]
Subject: RE: Hello From EPA Ethics!

Hi

I preface this by saying that my role as an ethics attorney with EPA doesn't allow me to provide any sort of financial advice, including what is appropriate for you to buy and sell on behalf of Mr. Goffman, so, sadly, there's no protocol. That said, I *can* tell you generally about the regulatory thresholds for when there might be a conflict of interest and what won't cause a conflict of interest.

By way of background, a criminal statute, 18 U.S.C. §208(a), bars Mr. Goffman from participating in any "particular matter" that affects any of his own interests or any imputed interest (e.g., spouse or dependent children). Part of this interest includes his financial assets – stocks, bonds, mutual funds, etc. In short, he can't participate in any particular matter that will have a direct and predictable effect on his financial interests. There are two types of particular matters – specific party matters and matters of general applicability – and each has their own triggering regulatory threshold. 5 C.F.R. Part 2634.202(a)-(c).

- Specific party matters in the ethics context involve a specific proceeding affecting the legal rights of the parties, or an isolatable transaction or related set of transactions between identified parties. Examples of this include contracts, grants, licenses, product approvals, investigations, and litigations.
- Matters of general applicability are broader, as they focus on the interests of a discrete and identifiable class of persons (like an industry or a profession). In the context of the federal government, matters of general applicability would be rulemaking or policy making.
- In the chart below, you can see the holding thresholds for when Mr. Goffman will need to recuse:

SPECIFIC PARTY MATTER (5 C.F.R. Part 2634.202(a) & (b))	MATTER OF GENERAL APPLICABILITY (5 C.F.R. Part 2634.202(c))
e.g., an enforcement action against ABC Widget Company	e.g., working on a rulemaking that affects all widget manufacturers
≤\$15,000 in ABC Widget Co. itself or in aggregate among all widget manufacturers	≤\$25,000 aggregate in any one widget maker (e.g., ABC Widget Corp. or DEF Widget Corp.)
≤\$25,000 aggregate for any affected non-parties (e.g., DEF Widget Corp. which manufactures a similar product)	≤\$50,000 aggregate in all affected parties (all widget makers)

Mr. Goffman will need to keep you generally abreast of what his duties are, so that you know to avoid buying stocks or bonds in amounts that would require him to recuse himself from his work. I do want to note that diversified

mutual funds generally do not cause much alarm for us in the ethics world, so if Mr. Goffman directs you to buy and sell diversified mutual funds, you can certainly do that. In fact, you don't need to seek any permission from us about selling assets, unless Mr. Goffman is planning to seek a certificate of divestiture regarding those assets.

But on that note, there is one thing that I want to flag about buying and selling – Mr. Goffman has probably told you that any transaction (whether it be a purchase, sale, or exchange) of stocks, bonds, commodity futures, and other securities done on behalf of Mr. Goffman, his spouse, or any dependent children in excess of \$1000 must be reported via the Periodic Transaction Report (278-T) in the INTEGRITY system within 30 days of receiving notice of the transaction or 45 days of the date of the transaction, whichever is sooner. Transactions related to diversified mutual funds do not need to be reported on a monthly basis, but they must be recorded each year in Mr. Goffman's annual report. However, a lot of our filers tend to include diversified mutual funds in their monthly 278-Ts in INTEGRITY, since all the information in the 278-T will be automatically copied into the annual report.

I hope that at least clarifies any confusion and gives everyone a good groundwork to work with. If there are still any other questions, do let me know.

Victoria

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EPA Office: 202-564-1149
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From: Ex. 6 Personal Privacy (PP)
Sent: Wednesday, January 20, 2021 10:52 AM
To: Clarke, Victoria <clarke.victoria@epa.gov>
Cc: 'Joseph Goffman' Ex. 6 Personal Privacy (PP)
Subject: RE: Hello From EPA Ethics!

Dear Victoria,

We would like to Ex. 6 Personal Privacy (PP) for the Goffman family accounts; is there a protocol to see if this is an acceptable investment? Also, are we free to sell as we see fit?

Thank you.

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

From: Joseph Goffman Ex. 6 Personal Privacy (PP)
Sent: Monday, January 18, 2021 7:17 PM
To: Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Fugh, Justina <fugh.justina@epa.gov>; Clarke, Victoria

<clarke.victoria@epa.gov>

Subject: Fwd: Hello From EPA Ethics!

Hello, **Ex. 6 Personal Privacy (PP)** As I previewed for you last week, I will be joining the Biden-Harris administration and as was the case when I worked for the Obama administration I must observe ethics obligations in the combination of work I do and equities **Ex. 6 Personal Privacy (PP)** and I own. In addition to introducing you to Victoria Clarke and re-introducing you to Justina Fugh of EPA's Office of General Counsel, **Ex. 6 Personal Privacy (PP)** and I are instructing you with this note to sell the stocks listed in the table below immediately. There is a reasonable chance that I will be sworn into my new role before the end of the week and will begin work immediately. Hence, the need for speed and the willingness to forego a certificate of divestiture and incur capital gains liability.

Please also read the explanatory note below for background and what to anticipate going forward.

Thank you very much in advance for your prompt action in this matter.

Best,
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From: **Clarke, Victoria** <clarke.victoria@epa.gov>

Date: Mon, Jan 18, 2021 at 11:57 AM

Subject: RE: Hello From EPA Ethics!

To: Joseph Goffman <**Ex. 6 Personal Privacy (PP)**>

Cc: Fugh, Justina <Fugh.Justina@epa.gov>

Hi Joel

It was a pleasure to speak with you this morning! As promised, I wanted to recap our discussion and provide you with a written copy of my counseling advice, as well as any further thoughts I might have. I've circled up with Justina about this, too.

As I understand it, you have a fairly good idea of what the Office of Air and Radiation's priorities are. You expect that you'll be directed to work on regulations relating to the oil and gas sector, the power sector, the automobile sector, and the chemical sector (hydrofluorocarbons). You would like to work on all these things.

Now, given your holdings, work in some of these issues will be problematic and pose a financial conflict of interest. **Ex. 6 Personal Privacy (PP)**
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Ex. 6 Personal Privacy (PP)

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We also discussed that you do have other assets in areas that could be implicated by the work that you do in OAR. For example, we discussed that you have that could implicate work that occurs under Sections 112(d) and (f) of the Clean Air Act. For now, it seems unlikely that you will work personally and substantially on particular matters that will have a direct and predictable effect on those financial interests. However, those assets will still be incorporated into your recusal statement. If at some point you need to work on such things, then we can again explore the option of obtaining a CD.

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Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Joseph Goffman <Ex. 6 Personal Privacy (PP)>
Sent: Sunday, January 17, 2021 6:52 PM
To: Clarke, Victoria <clarke.victoria@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Re: Hello From EPA Ethics!

OK. Do you want to just call me at 9:30 or use a video app? My phone is Ex. 6 Personal Privacy (PP) Thanks.

On Sun, Jan 17, 2021 at 3:49 PM Clarke, Victoria <clarke.victoria@epa.gov> wrote:

I'll go ahead and get us on the calendar for 9:30 AM. That way, you've got some time to think and plan.

Victoria

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Joseph Goffman <Ex. 6 Personal Privacy (PP)>
Sent: Sunday, January 17, 2021 6:46 PM
To: Clarke, Victoria <clarke.victoria@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Re: Hello From EPA Ethics!

Hi, Victoria. Thank you so much for doing this -- and on a holiday weekend! Much appreciated. I am eager to get this done. I am free between 9:30 and 10:30 and between 1 and 3. I can move a 3 now on my schedule if that is the time that works best for you. Thanks, again.

On Sun, Jan 17, 2021 at 6:41 PM Clarke, Victoria <clarke.victoria@epa.gov> wrote:

Hi Joe!

My name is Victoria Clarke, and I'm an ethics attorney at EPA. I am working with Justina to review the financial information that you've submitted to us. In fact, I'm crunching all your numbers as we speak!

I was hoping to talk to you sometime tomorrow about your assets, and what you will need to divest prior to joining EPA in order to hit the ground running. What would be the best time for you?

Thank you!

Victoria

Victoria Clarke

Attorney-Advisor

U.S. Environmental Protection Agency

Office of General Counsel

Washington, D.C. | 7348 WJCN

EPA Office: 202-564-1149

EPA Cell: 202-336-9101

Clarke, Victoria

From: Clarke, Victoria
Sent: Friday, May 14, 2021 11:23 AM
To: Goffman, Joseph; [REDACTED] Ex. 6 Personal Privacy (PP)
Cc: [REDACTED] Ex. 6 Personal Privacy (PP)
Subject: RE: [REDACTED] Ex. 6 Personal Privacy (PP) Statement of Divestiture

Yes, thank you. We are in receipt.

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel | Ethics Office
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Goffman, Joseph <Goffman.Joseph@epa.gov>
Sent: Friday, May 14, 2021 10:52 AM
To: [REDACTED] Ex. 6 Personal Privacy (PP), Clarke, Victoria <clarke.victoria@epa.gov>; [REDACTED] Ex. 6 Personal Privacy (PP)
Cc: [REDACTED] Ex. 6 Personal Privacy (PP)
Subject: [REDACTED] Ex. 6 Personal Privacy (PP) -- Statement of Divestiture

Thank you very much, [REDACTED] Ex. 6 Personal Privacy (PP)

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: [REDACTED] Ex. 6 Personal Privacy (PP)
Sent: Friday, May 14, 2021 10:37 AM
To: Clarke, Victoria <clarke.victoria@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; [REDACTED] Ex. 6 Personal Privacy (PP)
Cc: [REDACTED] Ex. 6 Personal Privacy (PP)
Subject: RE: [REDACTED] Ex. 6 Personal Privacy (PP) Statement of Divestiture

Good morning,

Ex. 6 Personal Privacy (PP)

From: Clarke, Victoria
To: Ex. 6 Personal Privacy (PP); Goffman, Joseph
Subject: RE: Ex. 6 Personal Privacy (PP); Statement of Divestiture
Date: Thursday, May 13, 2021 8:42:00 AM

Thank you for confirming this, Ex. 6 Personal Privacy (PP)

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel | Ethics Office
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Ex. 6 Personal Privacy (PP)
Sent: Thursday, May 13, 2021 12:02 AM
To: Clarke, Victoria <clarke.victoria@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>
Subject: Ex. 6 Personal Privacy (PP); Statement of Divestiture

Dear Victoria,

Ex. 6 Personal Privacy (PP)

Thank you so much for your help.

All the best,

Ex. 6 Personal Privacy (PP)

Clarke, Victoria

From: Clarke, Victoria
Sent: Tuesday, May 18, 2021 9:35 AM
To: Ex. 6 Personal Privacy (PP) Goffman, Joseph
Cc: Ex. 6 Personal Privacy (PP)
Subject: RE: Statement of Divestiture for Ex. 6 Personal Privacy (PP)

Thank you, we're in receipt.

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel | Ethics Office
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Ex. 6 Personal Privacy (PP)
Sent: Tuesday, May 18, 2021 9:25 AM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Cc: Ex. 6 Personal Privacy (PP) Clarke, Victoria
<clarke.victoria@epa.gov>, Ex. 6 Personal Privacy (PP)
Subject: Re: Statement of Divestiture for Ex. 6 Personal Privacy (PP)

HI ALL

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Message

From: Conrad, Daniel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7836E8DF15F14C1281356045C3C4132D-CONRAD, DAN]
Sent: 8/18/2021 2:38:00 PM
To: Fugh, Justina [Fugh.Justina@epa.gov]
CC: Payne, James (Jim) [payne.james@epa.gov]
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Thanks for the awareness, I'll see what OPA wants to do if he resubmits to them.
-Dan

From: Fugh, Justina <Fugh.Justina@epa.gov>
Sent: Wednesday, August 18, 2021 10:31 AM
To: Conrad, Daniel <conrad.daniel@epa.gov>
Cc: Payne, James (Jim) <payne.james@epa.gov>
Subject: FW: Media Inquiry: Joseph Goffman Ethics Complaint

Hi Dan,
Joe Goffman got a similar request from the reporter.

I alerted Jim yesterday to the fact that Protect the Public Trust sent Sean O'Donnell and me (mistakenly referred to as the DAEO) the attached complaint.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Let me know if you want me to answer any questions.
Happy Wednesday!
Justina

Justina Fugh (she/her) | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Fugh, Justina
Sent: Wednesday, August 18, 2021 10:24 AM
To: Andrew Kerr <akerr@dailycallernewsfoundation.org>
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Hello,
Thanks for resending as your first message ended up in my junk folder (I just found it there). You may direct your inquiry to the EPA's Office of Public Affairs.
Justina

Justina Fugh (she/her) | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

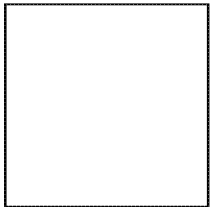
From: Andrew Kerr <akerr@dailycallernewsfoundation.org>
Sent: Wednesday, August 18, 2021 10:18 AM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Re: Media Inquiry: Joseph Goffman Ethics Complaint

Justina,

Just wanted to make sure you got this.

--

Andrew Kerr
Investigative Reporter
Daily Caller News Foundation
(704)770-5938
@AndrewKerrNC



On Tue, Aug 17, 2021 at 12:11 PM Andrew Kerr <akerr@dailycallernewsfoundation.org> wrote:

Hi Justina,

I'm a reporter with the Daily Caller News Foundation.

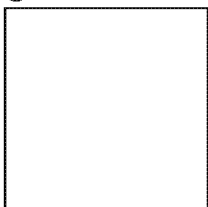
Protect the Public's Trust, a watchdog group, filed a [complaint](#) today to the Environmental Protection Agency inspector general about a meeting EPA Deputy Assistant Administrator Joseph Goffman agreed to schedule with representatives from Harvard University in late April/early May. [Emails obtained by the group show](#) that shortly after Goffman agreed to the meeting, he informed you that his recusal bars you from agreeing to the meeting. You informed Goffman: "Now we have to unring the bell, which we will do without your knowledge or involvement."

Can you confirm whether or not this meeting between Goffman and Kathleen Fallon Lambert, Elise Sunderland and Charles Driscoll as described in this complaint ever took place? And can you clarify what you meant by "unring the bell"?

Best,

--

Andrew Kerr
Investigative Reporter
Daily Caller News Foundation
(704)770-5938
@AndrewKerrNC



--

--

Andrew Kerr

Investigative Reporter

Daily Caller News Foundation

(704)770-5938

@AndrewKerrNC

Message

From: Fugh, Justina [Fugh.Justina@epa.gov]
Sent: 8/18/2021 2:30:57 PM
To: Conrad, Daniel [conrad.daniel@epa.gov]
CC: Payne, James (Jim) [payne.james@epa.gov]
Subject: FW: Media Inquiry: Joseph Goffman Ethics Complaint
Attachments: Goffman IG complaint 1.pdf; Re: PPT Goffman Complaint

Hi Dan,
Joe Goffman got a similar request from the reporter.

I alerted Jim yesterday to the fact that Protect the Public Trust sent Sean O'Donnell and me (mistakenly referred to as the DAEO) the attached complaint.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Let me know if you want me to answer any questions.
Happy Wednesday!
Justina

Justina Fugh (she/her) | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Fugh, Justina
Sent: Wednesday, August 18, 2021 10:24 AM
To: Andrew Kerr <akerr@dailycallernewsfoundation.org>
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Hello,
Thanks for resending as your first message ended up in my junk folder (I just found it there). You may direct your inquiry to the EPA's Office of Public Affairs.
Justina

Justina Fugh (she/her) | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

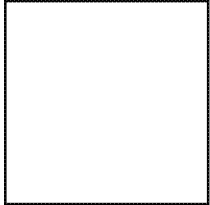
From: Andrew Kerr <akerr@dailycallernewsfoundation.org>
Sent: Wednesday, August 18, 2021 10:18 AM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Re: Media Inquiry: Joseph Goffman Ethics Complaint

Justina,

Just wanted to make sure you got this.

--

Andrew Kerr
Investigative Reporter
Daily Caller News Foundation
(704)770-5938
@AndrewKerrNC



On Tue, Aug 17, 2021 at 12:11 PM Andrew Kerr <akerr@dailycallernewsfoundation.org> wrote:

Hi Justina,

I'm a reporter with the Daily Caller News Foundation.

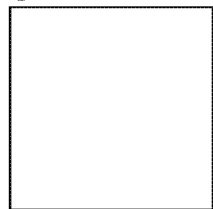
Protect the Public's Trust, a watchdog group, filed a [complaint](#) today to the Environmental Protection Agency inspector general about a meeting EPA Deputy Assistant Administrator Joseph Goffman agreed to schedule with representatives from Harvard University in late April/early May. [Emails obtained by the group show](#) that shortly after Goffman agreed to the meeting, he informed you that his recusal bars you from agreeing to the meeting. You informed Goffman: "Now we have to unring the bell, which we will do without your knowledge or involvement."

Can you confirm whether or not this meeting between Goffman and Kathleen Fallon Lambert, Elise Sunderland and Charles Driscoll as described in this complaint ever took place? And can you clarify what you meant by "unring the bell"?

Best,

--

Andrew Kerr
Investigative Reporter
Daily Caller News Foundation
(704)770-5938
@AndrewKerrNC



--

--

Andrew Kerr
Investigative Reporter
Daily Caller News Foundation

(704)770-5938

@AndrewKerrNC

Message

From: Payne, James (Jim) [payne.james@epa.gov]
Sent: 8/18/2021 2:57:18 PM
To: Hoffer, Melissa [Hoffer.Melissa@epa.gov]; Packard, Elise [Packard.Elise@epa.gov]
CC: Conrad, Daniel [conrad.daniel@epa.gov]
Subject: FW: PPT Goffman Complaint
Attachments: Goffman IG complaint 1.pdf

FYI, after receiving a FOIA response with internal ethics emails from last April, an outside group sent the attached Aug 17 letter to OIG, requesting an OIG investigation concerning a meeting request that Joe Goffman rec'd from his former employer.

From: Fugh, Justina <Fugh.Justina@epa.gov>
Sent: Tuesday, August 17, 2021 9:44 AM
To: Payne, James (Jim) <payne.james@epa.gov>
Subject: FW: PPT Goffman Complaint

FYI

Ex. 5 Deliberative Process (DP)

Justina

From: Morgan Yardis <morgan@protectpublictrust.org>
Sent: Tuesday, August 17, 2021 9:38 AM
To: Fugh, Justina <Fugh.Justina@epa.gov>; O'Donnell, Sean <ODonnell.Sean@epa.gov>
Subject: PPT Goffman Complaint

Good morning,

Please find the attached request regarding "Request for Investigation into Ethics Violation by Acting Associate Administrator Joseph Goffman."

Thank you,
Morgan Yardis

Message

From: Fugh, Justina [Fugh.Justina@epa.gov]
Sent: 8/18/2021 4:40:48 PM
To: Conrad, Daniel [conrad.daniel@epa.gov]; Payne, James (Jim) [payne.james@epa.gov]
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

I'm going to need to think about how to revise the offering. Give me a few minutes

Justina Fugh (she/her) | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Conrad, Daniel <conrad.daniel@epa.gov>
Sent: Wednesday, August 18, 2021 12:19 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>; Payne, James (Jim) <payne.james@epa.gov>
Subject: Fwd: Media Inquiry: Joseph Goffman Ethics Complaint

Jim and Justina you've both already seen this request, see the below draft response from OPA and let me know if you have any edits/concerns.

-Dan

Begin forwarded message:

From: "Carroll, Timothy" <Carroll.Timothy@epa.gov>
Date: August 18, 2021 at 12:05:57 PM EDT
To: "Conrad, Daniel" <conrad.daniel@epa.gov>
Cc: "Hamilton, Lindsay" <Hamilton.Lindsay@epa.gov>, "Grantham, Nancy" <Grantham.Nancy@epa.gov>
Subject: Re: Media Inquiry: Joseph Goffman Ethics Complaint

Taking this off press inbox, sorry about that.

From: EPA Press Office <Press@epa.gov>
Sent: Wednesday, August 18, 2021 12:05 PM
To: Conrad, Daniel <conrad.daniel@epa.gov>

Cc: Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>

Subject: Fw: Media Inquiry: Joseph Goffman Ethics Complaint

Hey Dan, see below. We'd like to respond with something along these lines and refer any additional questions to OIG, but wanted to get OGC's feedback. Let us know what you think, thanks!

Ex. 5 Deliberative Process (DP)

From: Andrew Kerr <akerr@dailycallernewsfoundation.org>

Sent: Tuesday, August 17, 2021 12:27 PM

To: EPA Press Office <Press@epa.gov>

Subject: Media Inquiry: Joseph Goffman Ethics Complaint

Hello,

I'm a reporter with the Daily Caller News Foundation.

Protect the Public's Trust, a watchdog group, filed a [complaint](#) today to the Environmental Protection Agency inspector general about a meeting EPA Deputy Assistant Administrator Joseph Goffman agreed to schedule with representatives from Harvard University in late April/early May. [Emails obtained by the group show](#) that shortly after Goffman agreed to the meeting, he informed an ethics officer that his recusal bars him from agreeing to them meeting. The ethics officer informed you: "Now we have to unring the bell, which we will do without your knowledge or involvement."

Can the EPA confirm whether or not this meeting between Goffman and Kathleen Fallon Lambert, Elise Sunderland and Charles Driscoll as described in this complaint ever took place? And can you clarify what was meant when the ethics officer said "unring the bell"?

Best,

--

Andrew Kerr
Investigative Reporter
Daily Caller News Foundation
(704)770-5938
[@AndrewKerrNC](#)

Message

From: Fugh, Justina [Fugh.Justina@epa.gov]
Sent: 8/18/2021 4:54:20 PM
To: Conrad, Daniel [conrad.daniel@epa.gov]
CC: Payne, James (Jim) [payne.james@epa.gov]
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Just sent you a revision. I had to dig through my emails to find who notified me in the first place, and it was Joe.

From: Conrad, Daniel <conrad.daniel@epa.gov>
Sent: Wednesday, August 18, 2021 12:51 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Cc: Payne, James (Jim) <payne.james@epa.gov>
Subject: Re: Media Inquiry: Joseph Goffman Ethics Complaint

Thanks! Jim you fine with me passing this along?

On Aug 18, 2021, at 12:45 PM, Fugh, Justina <Fugh.Justina@epa.gov> wrote:

Here you go:

Ex. 5 Deliberative Process (DP)

From: Conrad, Daniel <conrad.daniel@epa.gov>
Sent: Wednesday, August 18, 2021 12:19 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>; Payne, James (Jim) <payne.james@epa.gov>
Subject: Fwd: Media Inquiry: Joseph Goffman Ethics Complaint

Jim and Justina you've both already seen this request, see the below draft response from OPA and let me know if you have any edits/concerns.

-Dan

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From: "Carroll, Timothy" <Carroll.Timothy@epa.gov>
Date: August 18, 2021 at 12:05:57 PM EDT
To: "Conrad, Daniel" <conrad.daniel@epa.gov>
Cc: "Hamilton, Lindsay" <Hamilton.Lindsay@epa.gov>, "Grantham, Nancy" <Grantham.Nancy@epa.gov>
Subject: Re: Media Inquiry: Joseph Goffman Ethics Complaint

Taking this off press inbox, sorry about that.

From: EPA Press Office <Press@epa.gov>
Sent: Wednesday, August 18, 2021 12:05 PM
To: Conrad, Daniel <conrad.daniel@epa.gov>
Cc: Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Fw: Media Inquiry: Joseph Goffman Ethics Complaint

Hey Dan, see below. We'd like to respond with something along these lines and refer any additional questions to OIG, but wanted to get OGC's feedback. Let us know what you think, thanks!

Ex. 5 Deliberative Process (DP)

From: Andrew Kerr <akerr@dailycallernewsfoundation.org>
Sent: Tuesday, August 17, 2021 12:27 PM
To: EPA Press Office <Press@epa.gov>
Subject: Media Inquiry: Joseph Goffman Ethics Complaint

Hello,

I'm a reporter with the Daily Caller News Foundation.

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Can the EPA confirm whether or not this meeting between Goffman and Kathleen Fallon Lambert, Elise Sunderland and Charles Driscoll as described in this complaint ever took place? And can you clarify what was meant when the ethics officer said "unring the bell"?

Best,

--

Andrew Kerr
Investigative Reporter
Daily Caller News Foundation
(704)770-5938
@AndrewKerrNC

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 8/18/2021 5:36:28 PM
To: Hamilton, Lindsay [Hamilton.Lindsay@epa.gov]; Carroll, Timothy [Carroll.Timothy@epa.gov]; Conrad, Daniel [conrad.daniel@epa.gov]
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

agree

Nancy Grantham
Principal Deputy Associate Administrator
Environmental Protection Agency
Office of Public Affairs
202-564-6879 (desk)
202-253-7056 (cell)
grantham.nancy@epa.gov

From: Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>
Sent: Wednesday, August 18, 2021 1:35 PM
To: Carroll, Timothy <Carroll.Timothy@epa.gov>; Conrad, Daniel <conrad.daniel@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

I'm good with sharing this.

From: Carroll, Timothy <Carroll.Timothy@epa.gov>
Sent: Wednesday, August 18, 2021 1:23 PM
To: Conrad, Daniel <conrad.daniel@epa.gov>
Cc: Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Re: Media Inquiry: Joseph Goffman Ethics Complaint

Thanks Dan!

Lindsay, do you want to review and let me know if we're good to share?

On Aug 18, 2021, at 1:21 PM, Conrad, Daniel <conrad.daniel@epa.gov> wrote:

See below edits-

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Conrad, Daniel
Sent: Wednesday, August 18, 2021 12:19 PM

To: Carroll, Timothy <Carroll.Timothy@epa.gov>

Cc: Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>

Subject: Re: Media Inquiry: Joseph Goffman Ethics Complaint

Checking with my folks and will get back to you. Thanks

-Dan

On Aug 18, 2021, at 12:05 PM, Carroll, Timothy <Carroll.Timothy@epa.gov> wrote:

Taking this off press inbox, sorry about that.

From: EPA Press Office <Press@epa.gov>

Sent: Wednesday, August 18, 2021 12:05 PM

To: Conrad, Daniel <conrad.daniel@epa.gov>

Cc: Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>

Subject: Fw: Media Inquiry: Joseph Goffman Ethics Complaint

Hey Dan, see below. We'd like to respond with something along these lines and refer any additional questions to OIG, but wanted to get OGC's feedback. Let us know what you think, thanks!

Ex. 5 Deliberative Process (DP)

From: Andrew Kerr <akerr@dailycallernewsfoundation.org>

Sent: Tuesday, August 17, 2021 12:27 PM

To: EPA Press Office <Press@epa.gov>

Subject: Media Inquiry: Joseph Goffman Ethics Complaint

Hello,

I'm a reporter with the Daily Caller News Foundation.

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Can the EPA confirm whether or not this meeting between Goffman and Kathleen Fallon Lambert, Elise Sunderland and Charles Driscoll as described in this complaint ever took place? And can you clarify what was meant when the ethics officer said "unring the bell"?

Best,

--

Andrew Kerr

Investigative Reporter

Daily Caller News Foundation

(704)770-5938

@AndrewKerrNC

Message

From: DeLuca, Isabel [DeLuca.Isabel@epa.gov]
Sent: 8/18/2021 8:31:56 PM
To: Fugh, Justina [Fugh.Justina@epa.gov]; Carroll, Timothy [Carroll.Timothy@epa.gov]; Campbell, Ann [Campbell.Ann@epa.gov]; Millett, John [Millett.John@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]
CC: Conrad, Daniel [conrad.daniel@epa.gov]
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Thanks, all!

From: Fugh, Justina <Fugh.Justina@epa.gov>
Sent: Wednesday, August 18, 2021 4:22 PM
To: Carroll, Timothy <Carroll.Timothy@epa.gov>; DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Millett, John <Millett.John@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Conrad, Daniel <conrad.daniel@epa.gov>
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Love that voice of reason, Tim!

From: Carroll, Timothy <Carroll.Timothy@epa.gov>
Sent: Wednesday, August 18, 2021 4:00 PM
To: DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Millett, John <Millett.John@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Conrad, Daniel <conrad.daniel@epa.gov>
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Ex. 5 Deliberative Process (DP)

Tim Carroll (he/him)
Deputy Press Secretary
Environmental Protection Agency
202-384-7510 (mobile)

From: DeLuca, Isabel <DeLuca.Isabel@epa.gov>
Sent: Wednesday, August 18, 2021 3:58 PM
To: Carroll, Timothy <Carroll.Timothy@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Millett, John <Millett.John@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Conrad, Daniel <conrad.daniel@epa.gov>
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Does it make sense to send a combined response? I want to be clear that this meeting didn't take place.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Carroll, Timothy <Carroll.Timothy@epa.gov>
Sent: Wednesday, August 18, 2021 3:53 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>; DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Millett, John <Millett.John@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Conrad, Daniel <conrad.daniel@epa.gov>
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Thanks all, will get this over to the reporter shortly.

Tim Carroll (he/him)
Deputy Press Secretary
Environmental Protection Agency
202-384-7510 (mobile)

From: Fugh, Justina <Fugh.Justina@epa.gov>
Sent: Wednesday, August 18, 2021 3:36 PM
To: DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Millett, John <Millett.John@epa.gov>; Carroll, Timothy <Carroll.Timothy@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Conrad, Daniel <conrad.daniel@epa.gov>
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Hi Isabel,

I got that same question about what I meant by “unring the bell,” but I sent the inquiry to the press office. Then I was asked by OGC’s front office (Dan Conrad, copied here for his situational awareness) to provide edits to the proposed OPA response, so here’s what I provided:

Ex. 5 Deliberative Process (DP)

The question to your office makes you address my colloquial phrase (sorry) and to directly answer whether or not the meeting took place. I actually had no idea about the meeting, but I can tell you that I wrote to Harvard to say that Joe Goffman was unable to respond to the request. I suggested that Harvard could reach out to Ann Ferrio instead. I have no comments on your draft response. Good job with that!

Justina

Justina Fugh (she/her) | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: DeLuca, Isabel <DeLuca.Isabel@epa.gov>
Sent: Wednesday, August 18, 2021 2:05 PM
To: Campbell, Ann <Campbell.Ann@epa.gov>; Millett, John <Millett.John@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>; Carroll, Timothy <Carroll.Timothy@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Justina, does the following response look ok to you in response to the questions from the Daily Caller? I’m also hoping we might hop on a call at 3:45 to discuss if anything more is needed here.

Incoming: I’m a reporter with the Daily Caller News Foundation. Protect the Public’s Trust, a watchdog group, filed a complaint today to the Environmental Protection Agency inspector general about a meeting you agreed to schedule with representatives from Harvard University in late April/early May. Emails obtained by the group show that shortly after

you agreed to the meeting, you informed an ethics officer that your recusal bars you from agreeing to them meeting. The ethics officer informed you: "Now we have to unring the bell, which we will do without your knowledge or involvement." Can you confirm whether or not this meeting between you and Kathleen Fallon Lambert, Elise Sunderland and Charles Driscoll as described in this complaint every took place? And can you clarify what was meant by "unring the bell"?

Draft response:

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Fugh, Justina <Fugh.Justina@epa.gov>
Sent: Wednesday, August 18, 2021 10:25 AM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>; Millett, John <Millett.John@epa.gov>; DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>
Cc: Clarke, Victoria <clarke.victoria@epa.gov>
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Hi Joe,
I got the same question and told the reporter to contact OPA.
Justina

Justina Fugh (she/her) | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Goffman, Joseph <Goffman.Joseph@epa.gov>
Sent: Wednesday, August 18, 2021 10:23 AM
To: Millett, John <Millett.John@epa.gov>; DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>; Clarke, Victoria <clarke.victoria@epa.gov>
Subject: FW: Media Inquiry: Joseph Goffman Ethics Complaint

Please advise. Thanks.

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Andrew Kerr <akerr@dailycallernewsfoundation.org>
Sent: Wednesday, August 18, 2021 10:18 AM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Subject: Re: Media Inquiry: Joseph Goffman Ethics Complaint

Joseph,

Just wanted to make sure you got this.

--

Andrew Kerr
Investigative Reporter
Daily Caller News Foundation
(704)770-5938
@AndrewKerrNC
<image001.jpg>

On Tue, Aug 17, 2021 at 12:09 PM Andrew Kerr <akerr@dailycallernewsfoundation.org> wrote:

Hi Joseph,

I'm a reporter with the Daily Caller News Foundation.

Protect the Public's Trust, a watchdog group, filed a [complaint](#) today to the Environmental Protection Agency inspector general about a meeting you agreed to schedule with representatives from Harvard University in late April/early May. [Emails obtained by the group show](#) that shortly after you agreed to the meeting, you informed an ethics officer that your recusal bars you from agreeing to them meeting. The ethics officer informed you: "Now we have to unring the bell, which we will do without your knowledge or involvement."

Can you confirm whether or not this meeting between you and Kathleen Fallon Lambert, Elise Sunderland and Charles Driscoll as described in this complaint every took place? And can you clarify what was meant by "unring the bell"?

Best,

--

Andrew Kerr
Investigative Reporter
Daily Caller News Foundation
(704)770-5938
@AndrewKerrNC
<image001.jpg>

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Andrew Kerr
Investigative Reporter
Daily Caller News Foundation
(704)770-5938
@AndrewKerrNC

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 4/29/2021 2:38:13 PM
To: David J. Apol [djapol@oge.gov]
Subject: FW: notification of (minor) pledge violation

Here you go

From: Olorunnipa, Funmi B. EOP/WHO { **Ex. 6 Personal Privacy (PP)** }
Sent: Tuesday, April 27, 2021 3:31 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: notification of (minor) pledge violation

Thank Justina. We defer to the agencies on whom to notify but your course of action below seems reasonable to me.

From: Fugh, Justina <Fugh.Justina@epa.gov>
Sent: Tuesday, April 27, 2021 1:42 PM
To: Olorunnipa, Funmi B. EOP/WHO { **Ex. 6 Personal Privacy (PP)** }
Subject: notification of (minor) pledge violation

Hi there,

One of our non-career SES appointees, Joseph Goffman, realized belatedly that he acted on an email sent by a representative of his former employer, which is a technical violation of Section 2 of Executive Order 13989. He did not respond directly to the requestor but did forward the email to a subordinate with a recommendation about how to proceed. He copied the career chief of staff on that email, who alerted the appointee to his error, so he notified me.

This appointee had issued a recusal statement that names the career chief of staff as his screener. In addition, my staff had provided all of the politicals and key career staff in this office with specialized training on invitations and recusals. Nevertheless, the oops occurred. To “unring the bell,” I advised the subordinate to disregard the instructions from the appointee. I also contacted the requestor to explain that the appointee would not be available to meet and that, going forward, any further inquiries should be sent to the career chief of staff instead. And I have reminded the appointee to be more careful going forward.

Do you have any advice about whom else to notify about this minor pledge violation?
Justina

Justina Fugh | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 5/3/2021 2:58:34 AM
To: Utech, Dan [Utech.Dan@epa.gov]
Subject: FW: notification of (minor) pledge violation

Hi Dan,

I am writing to notify you of a Biden pledge violation by Joe Goffman. It was quite minor and, as you will see from the email below, there were no ramifications. As we have done historically for pledge violations, I am notifying you as the supervisor and have also notified the White House. The White House declined to take any action, which I think is the correct course of action. We have resolved this minor infraction so I am just letting you know for your information. There is really nothing for you to do.

Justina

Justina Fugh | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Olorunnipa, Funmi B. EOP/WHO **Ex. 6 Personal Privacy (PP)**
Sent: Tuesday, April 27, 2021 3:31 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: notification of (minor) pledge violation

Thank Justina. We defer to the agencies on whom to notify but your course of action below seems reasonable to me.

From: Fugh, Justina <Fugh.Justina@epa.gov>
Sent: Tuesday, April 27, 2021 1:42 PM
To: Olorunnipa, Funmi B. EOP/WHO **Ex. 6 Personal Privacy (PP)**
Subject: notification of (minor) pledge violation

Hi there,

One of our non-career SES appointees, Joseph Goffman, realized belatedly that he acted on an email sent by a representative of his former employer, which is a technical violation of Section 2 of Executive Order 13989. He did not respond directly to the requestor but did forward the email to a subordinate with a recommendation about how to proceed. He copied the career chief of staff on that email, who alerted the appointee to his error, so he notified me.

This appointee had issued a recusal statement that names the career chief of staff as his screener. In addition, my staff had provided all of the politicals and key career staff in this office with specialized training on invitations and recusals. Nevertheless, the oops occurred. To "unring the bell," I advised the subordinate to disregard the instructions from the appointee. I also contacted the requestor to explain that the appointee

would not be available to meet and that, going forward, any further inquiries should be sent to the career chief of staff instead. And I have reminded the appointee to be more careful going forward.

Do you have any advice about whom else to notify about this minor pledge violation?

Justina

Justina Fugh | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 4/27/2021 5:41:45 PM
To: Olorunnipa, Funmi B. EOP/WHO; Ex. 6 Personal Privacy (PP)
Subject: notification of (minor) pledge violation

Hi there,

One of our non-career SES appointees, Joseph Goffman, realized belatedly that he acted on an email sent by a representative of his former employer, which is a technical violation of Section 2 of Executive Order 13989. He did not respond directly to the requestor but did forward the email to a subordinate with a recommendation about how to proceed. He copied the career chief of staff on that email, who alerted the appointee to his error, so he notified me.

This appointee had issued a recusal statement that names the career chief of staff as his screener. In addition, my staff had provided all of the politicals and key career staff in this office with specialized training on invitations and recusals. Nevertheless, the oops occurred. To “unring the bell,” I advised the subordinate to disregard the instructions from the appointee. I also contacted the requestor to explain that the appointee would not be available to meet and that, going forward, any further inquiries should be sent to the career chief of staff instead. And I have reminded the appointee to be more careful going forward.

Do you have any advice about whom else to notify about this minor pledge violation?

Justina

Justina Fugh | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

From: Olorunnipa, Funmi B. EOP/WHO **Ex. 6 Personal Privacy (PP)**
Sent: 4/27/2021 7:31:09 PM
To: Fugh, Justina [Fugh.Justina@epa.gov]
Subject: RE: notification of (minor) pledge violation

Thank Justina. We defer to the agencies on whom to notify but your course of action below seems reasonable to me.

From: Fugh, Justina <Fugh.Justina@epa.gov>
Sent: Tuesday, April 27, 2021 1:42 PM
To: Olorunnipa, Funmi B. EOP/WHO **Ex. 6 Personal Privacy (PP)**
Subject: notification of (minor) pledge violation

Hi there,

One of our non-career SES appointees, Joseph Goffman, realized belatedly that he acted on an email sent by a representative of his former employer, which is a technical violation of Section 2 of Executive Order 13989. He did not respond directly to the requestor but did forward the email to a subordinate with a recommendation about how to proceed. He copied the career chief of staff on that email, who alerted the appointee to his error, so he notified me.

This appointee had issued a recusal statement that names the career chief of staff as his screener. In addition, my staff had provided all of the politicals and key career staff in this office with specialized training on invitations and recusals. Nevertheless, the oops occurred. To “unring the bell,” I advised the subordinate to disregard the instructions from the appointee. I also contacted the requestor to explain that the appointee would not be available to meet and that, going forward, any further inquiries should be sent to the career chief of staff instead. And I have reminded the appointee to be more careful going forward.

Do you have any advice about whom else to notify about this minor pledge violation?
Justina

Justina Fugh | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 8/18/2021 4:54:20 PM
To: Conrad, Daniel [conrad.daniel@epa.gov]
CC: Payne, James (Jim) [payne.james@epa.gov]
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Just sent you a revision. I had to dig through my emails to find who notified me in the first place, and it was Joe.

From: Conrad, Daniel <conrad.daniel@epa.gov>
Sent: Wednesday, August 18, 2021 12:51 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Cc: Payne, James (Jim) <payne.james@epa.gov>
Subject: Re: Media Inquiry: Joseph Goffman Ethics Complaint

Thanks! Jim you fine with me passing this along?

On Aug 18, 2021, at 12:45 PM, Fugh, Justina <Fugh.Justina@epa.gov> wrote:

Here you go:

Ex. 5 Deliberative Process (DP)

From: Conrad, Daniel <conrad.daniel@epa.gov>
Sent: Wednesday, August 18, 2021 12:19 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>; Payne, James (Jim) <payne.james@epa.gov>
Subject: Fwd: Media Inquiry: Joseph Goffman Ethics Complaint

Jim and Justina you've both already seen this request, see the below draft response from OPA and let me know if you have any edits/concerns.

-Dan

Begin forwarded message:

From: "Carroll, Timothy" <Carroll.Timothy@epa.gov>
Date: August 18, 2021 at 12:05:57 PM EDT
To: "Conrad, Daniel" <conrad.daniel@epa.gov>
Cc: "Hamilton, Lindsay" <Hamilton.Lindsay@epa.gov>, "Grantham, Nancy" <Grantham.Nancy@epa.gov>
Subject: Re: Media Inquiry: Joseph Goffman Ethics Complaint

Taking this off press inbox, sorry about that.

From: EPA Press Office <Press@epa.gov>
Sent: Wednesday, August 18, 2021 12:05 PM
To: Conrad, Daniel <conrad.daniel@epa.gov>
Cc: Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Fw: Media Inquiry: Joseph Goffman Ethics Complaint

Hey Dan, see below. We'd like to respond with something along these lines and refer any additional questions to OIG, but wanted to get OGC's feedback. Let us know what you think, thanks!

Ex. 5 Deliberative Process (DP)

From: Andrew Kerr <akerr@dailycallernewsfoundation.org>
Sent: Tuesday, August 17, 2021 12:27 PM
To: EPA Press Office <Press@epa.gov>
Subject: Media Inquiry: Joseph Goffman Ethics Complaint

Hello,

I'm a reporter with the Daily Caller News Foundation.

Protect the Public's Trust, a watchdog group, filed a [complaint](#) today to the Environmental Protection Agency inspector general about a meeting EPA Deputy Assistant Administrator Joseph Goffman agreed to schedule with representatives from Harvard University in late April/early May. [Emails obtained by the group show](#) that shortly after Goffman agreed to the meeting, he informed an ethics officer that his recusal bars him from agreeing to them meeting. The ethics officer informed you: "Now we have to unring the bell, which we will do without your knowledge or involvement."

Can the EPA confirm whether or not this meeting between Goffman and Kathleen Fallon Lambert, Elise Sunderland and Charles Driscoll as described in this complaint ever took place? And can you clarify what was meant when the ethics officer said "unring the bell"?

Best,

--

Andrew Kerr
Investigative Reporter
Daily Caller News Foundation
(704)770-5938
@AndrewKerrNC

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 9/17/2021 2:48:48 PM
To: Hoffer, Melissa [Hoffer.Melissa@epa.gov]
CC: Goffman, Joseph [Goffman.Joseph@epa.gov]; Packard, Elise [Packard.Elise@epa.gov]; Clarke, Victoria [clarke.victoria@epa.gov]
Subject: Re: heads up -- possible semiconductor industry conflicts

Shannon can help with this issue, as referenced in my outgoing message. And If need be, I can call in soon but am still

Ex. 6 Personal Privacy (PP)

Sent from my iPhone

On Sep 17, 2021, at 8:44 AM, Hoffer, Melissa <Hoffer.Melissa@epa.gov> wrote:

Elise,

Please see Justina's email below. Is there someone in Ethics who can assist Joe today with this—thanks.

Melissa

From: Goffman, Joseph <Goffman.Joseph@epa.gov>
Sent: Friday, September 17, 2021 7:33 AM
To: Hoffer, Melissa <Hoffer.Melissa@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>; Clarke, Victoria <clarke.victoria@epa.gov>
Subject: FW: heads up -- possible semiconductor industry conflicts
Importance: High

Hi, Melissa. Apologies for bothering you about this, but both Justina and Victoria are out and as you can see from the below there is some urgency in the need to resolve the matter Justina emailed me about last night. Is there someone around who can review this chain and provide me with guidance?

Please note that I refer below to an email from Victoria from a few months ago. I will forward that to you as well momentarily so that you have both this exchange and the Victoria email.

Thank you very much for any help you can provide on this.

Best,
Joe

Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Goffman, Joseph
Sent: Friday, September 17, 2021 12:14 AM
To: Fugh, Justina <Fugh.Justina@epa.gov>

Cc: Campbell, Ann <Campbell.Ann@epa.gov>; Kabanda, Thierry <Kabanda.Thierry@epa.gov>

Subject: Re: heads up -- possible semiconductor industry conflicts

Thanks for the heads up, Justina. Can we set up a discussion about this on Friday, please. I believe I have an email from Victoria, which I will endeavor to retrieve, that concludes or advises that the AIM Act rule that the Administrator is about sign does not create a conflict for me because it covers the production and consumption of HFCs across multiple sectors, only one of which is semiconductors. Did or do I understand that correctly?

The AIM Act also authorizes EPA to grant petitions and initiate rulemakings to restrict specific uses of HFCs. I assume that use-specific rulemakings that affect the semiconductor industry would create a conflict. Is your caution directed only at that circumstance? Or, again, is it also directed at the current economy-wide phase down?

Thanks

Sent from my iPhone

On Sep 16, 2021, at 11:51 PM, Fugh, Justina <Fugh.Justina@epa.gov> wrote:

Hi Joe,

I wanted to send you this note to say that we are learning more about the AIM Act that directs EPA to address HFCs by phasing down the production and consumption of listed HFCs, managing the HFCs and their substitutes, and also facilitating the transition to next-generation technologies.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Please note that Amazon, Apple, IBM and Microsoft all apparently design and manufacture semiconductors, so employees who own over the regulatory exemption levels will not be able to participate in the rulemaking that addresses this industry. If indeed they are affected, then we will be worried about:

- Ownership over \$15,000 in any semiconductor manufacturer, which means an employee cannot work on a petition filed by that company;
- Ownership over \$25,000 in any semiconductor manufacturer, which means that an employee also cannot work on any rulemaking that will affect this industrial sector; and
- Ownership over \$50,000 in any sector fund that invests in the semiconductor industry, such as Direxion Daily Semiconductor Bull (SOXL), ProShares Ultra Semiconductors ETF (USD), Invesco Dynamic Semiconductors ETF (PSI), VanEck Vectors Semiconductor ETF (SMH), or iShares PHLX Semiconductor ETF (SOXX).

Although your 4/8/21 recusal statement included semiconductors, your updated recusal statement of 6/30/21 does not. Since we now believe that Amazon, Apple, IBM and Microsoft may be affected by the upcoming semiconductor rulemaking, we advise caution on your part.

Justina

Justina Fugh (she/her) | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

<Signed recusal 4-8-21.docx>

<Joe Goffman Updated Recusal - signed 6-30-21.pdf>

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 8/18/2021 2:30:57 PM
To: Conrad, Daniel [conrad.daniel@epa.gov]
CC: Payne, James (Jim) [payne.james@epa.gov]
Subject: FW: Media Inquiry: Joseph Goffman Ethics Complaint
Attachments: Goffman IG complaint 1.pdf; Re: PPT Goffman Complaint

Hi Dan,
Joe Goffman got a similar request from the reporter.

I alerted Jim yesterday to the fact that Protect the Public Trust sent Sean O'Donnell and me (mistakenly referred to as the DAEO) the attached complaint.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Let me know if you want me to answer any questions.
Happy Wednesday!
Justina

Justina Fugh (she/her) | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Fugh, Justina
Sent: Wednesday, August 18, 2021 10:24 AM
To: Andrew Kerr <akerr@dailycallernewsfoundation.org>
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Hello,
Thanks for resending as your first message ended up in my junk folder (I just found it there). You may direct your inquiry to the EPA's Office of Public Affairs.
Justina

Justina Fugh (she/her) | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

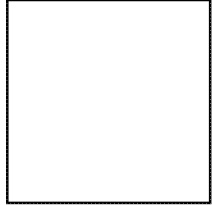
From: Andrew Kerr <akerr@dailycallernewsfoundation.org>
Sent: Wednesday, August 18, 2021 10:18 AM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Re: Media Inquiry: Joseph Goffman Ethics Complaint

Justina,

Just wanted to make sure you got this.

--

Andrew Kerr
Investigative Reporter
Daily Caller News Foundation
(704)770-5938
@AndrewKerrNC



On Tue, Aug 17, 2021 at 12:11 PM Andrew Kerr <akerr@dailycallernewsfoundation.org> wrote:

Hi Justina,

I'm a reporter with the Daily Caller News Foundation.

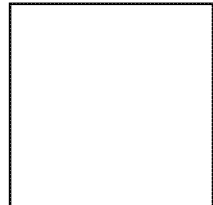
Protect the Public's Trust, a watchdog group, filed a [complaint](#) today to the Environmental Protection Agency inspector general about a meeting EPA Deputy Assistant Administrator Joseph Goffman agreed to schedule with representatives from Harvard University in late April/early May. [Emails obtained by the group show](#) that shortly after Goffman agreed to the meeting, he informed you that his recusal bars you from agreeing to the meeting. You informed Goffman: "Now we have to unring the bell, which we will do without your knowledge or involvement."

Can you confirm whether or not this meeting between Goffman and Kathleen Fallon Lambert, Elise Sunderland and Charles Driscoll as described in this complaint ever took place? And can you clarify what you meant by "unring the bell"?

Best,

--

Andrew Kerr
Investigative Reporter
Daily Caller News Foundation
(704)770-5938
@AndrewKerrNC



--

--

Andrew Kerr
Investigative Reporter

Daily Caller News Foundation

(704)770-5938

@AndrewKerrNC

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 8/19/2021 3:18:23 PM
To: Payne, James (Jim) [payne.james@epa.gov]
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Hi,
If you look at the top of the advisory, you'll see a note from OGE:

NOTE: All substantive legal interpretations in this advisory concerning Pledge paragraph 2 (E.O. 13490) and the terms used in Pledge paragraph 2 are applicable to Executive Order 13770, sec. 1, par. 6. All substantive legal interpretations pertaining to waivers of the Ethics Pledge are not applicable to Executive Order 13770, sec. 3. See LA-17-02 and LA-17-03.

That note is undergirded by [LA-21-05](#) (February 23, 2021).
Justina

Justina Fugh (she/her) | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Payne, James (Jim) <payne.james@epa.gov>
Sent: Thursday, August 19, 2021 8:44 AM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Fwd: Media Inquiry: Joseph Goffman Ethics Complaint

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

Begin forwarded message:

From: "Fugh, Justina" <Fugh.Justina@epa.gov>
Date: August 18, 2021 at 10:30:59 AM EDT
To: "Conrad, Daniel" <conrad.daniel@epa.gov>
Cc: "Payne, James (Jim)" <payne.james@epa.gov>
Subject: FW: Media Inquiry: Joseph Goffman Ethics Complaint

Hi Dan,
Joe Goffman got a similar request from the reporter.

I alerted Jim yesterday to the fact that Protect the Public Trust sent Sean O'Donnell and me (mistakenly referred to as the DAEO) the attached complaint.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Let me know if you want me to answer any questions.
Happy Wednesday!
Justina

Justina Fugh (she/her) | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North,
William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone
202-564-1786 | fax 202-564-1772

From: Fugh, Justina
Sent: Wednesday, August 18, 2021 10:24 AM
To: Andrew Kerr <akerr@dailycallernewsfoundation.org>
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Hello,
Thanks for resending as your first message ended up in my junk folder (I just found it there). You may direct your inquiry to the EPA's Office of Public Affairs.
Justina

Justina Fugh (she/her) | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North,
William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone
202-564-1786 | fax 202-564-1772

From: Andrew Kerr <akerr@dailycallernewsfoundation.org>
Sent: Wednesday, August 18, 2021 10:18 AM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Re: Media Inquiry: Joseph Goffman Ethics Complaint

Justina,

Just wanted to make sure you got this.

--

Andrew Kerr
Investigative Reporter
Daily Caller News Foundation
(704)770-5938
@AndrewKerrNC

On Tue, Aug 17, 2021 at 12:11 PM Andrew Kerr <akerr@dailycallernewsfoundation.org> wrote:

Hi Justina,

I'm a reporter with the Daily Caller News Foundation.

Protect the Public's Trust, a watchdog group, filed a complaint today to the Environmental Protection Agency inspector general about a meeting EPA Deputy Assistant Administrator Joseph Goffman agreed to schedule with representatives from Harvard University in late April/early May. Emails obtained by the group show that shortly after Goffman agreed to the meeting, he informed you that his recusal bars you from agreeing to the meeting. You informed Goffman: "Now we have to unring the bell, which we will do without your knowledge or involvement."

Can you confirm whether or not this meeting between Goffman and Kathleen Fallon Lambert, Elise Sunderland and Charles Driscoll as described in this complaint ever took place? And can you clarify what you meant by "unring the bell"?

Best,

--

Andrew Kerr
Investigative Reporter
Daily Caller News Foundation
(704)770-5938
@AndrewKerrNC

--

--

Andrew Kerr
Investigative Reporter
Daily Caller News Foundation
(704)770-5938
@AndrewKerrNC

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 8/18/2021 4:40:48 PM
To: Conrad, Daniel [conrad.daniel@epa.gov]; Payne, James (Jim) [payne.james@epa.gov]
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

I'm going to need to think about how to revise the offering. Give me a few minutes

Justina Fugh (she/her) | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Conrad, Daniel <conrad.daniel@epa.gov>
Sent: Wednesday, August 18, 2021 12:19 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>; Payne, James (Jim) <payne.james@epa.gov>
Subject: Fwd: Media Inquiry: Joseph Goffman Ethics Complaint

Jim and Justina you've both already seen this request, see the below draft response from OPA and let me know if you have any edits/concerns.

-Dan

Begin forwarded message:

From: "Carroll, Timothy" <Carroll.Timothy@epa.gov>
Date: August 18, 2021 at 12:05:57 PM EDT
To: "Conrad, Daniel" <conrad.daniel@epa.gov>
Cc: "Hamilton, Lindsay" <Hamilton.Lindsay@epa.gov>, "Grantham, Nancy" <Grantham.Nancy@epa.gov>
Subject: Re: Media Inquiry: Joseph Goffman Ethics Complaint

Taking this off press inbox, sorry about that.

From: EPA Press Office <Press@epa.gov>
Sent: Wednesday, August 18, 2021 12:05 PM

To: Conrad, Daniel <conrad.daniel@epa.gov>

Cc: Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>

Subject: Fw: Media Inquiry: Joseph Goffman Ethics Complaint

Hey Dan, see below. We'd like to respond with something along these lines and refer any additional questions to OIG, but wanted to get OGC's feedback. Let us know what you think, thanks!

Ex. 5 Deliberative Process (DP)

From: Andrew Kerr <akerr@dailycallernewsfoundation.org>

Sent: Tuesday, August 17, 2021 12:27 PM

To: EPA Press Office <Press@epa.gov>

Subject: Media Inquiry: Joseph Goffman Ethics Complaint

Hello,

I'm a reporter with the Daily Caller News Foundation.

Protect the Public's Trust, a watchdog group, filed a [complaint](#) today to the Environmental Protection Agency inspector general about a meeting EPA Deputy Assistant Administrator Joseph Goffman agreed to schedule with representatives from Harvard University in late April/early May. [Emails obtained by the group show](#) that shortly after Goffman agreed to the meeting, he informed an ethics officer that his recusal bars him from agreeing to them meeting. The ethics officer informed you: "Now we have to unring the bell, which we will do without your knowledge or involvement."

Can the EPA confirm whether or not this meeting between Goffman and Kathleen Fallon Lambert, Elise Sunderland and Charles Driscoll as described in this complaint ever took place? And can you clarify what was meant when the ethics officer said "unring the bell"?

Best,

--

Andrew Kerr

Investigative Reporter

Daily Caller News Foundation

(704)770-5938

@AndrewKerrNC

Message

From: Griffo, Shannon [Griffo.Shannon@epa.gov]
Sent: 7/23/2021 6:54:41 PM
To: Fugh, Justina [Fugh.Justina@epa.gov]
Subject: email for FOIA request
Attachments: FW_ notification of (minor) pledge violation.pdf

Hi,

When you can, please send me the email chain that includes your initial email to the White House and then the response. I only have versions where you've forwarded it (see attached), and I don't want to send that forward to the WH for equity review. No rush.

Thanks!

Shannon Griffo
Office of General Counsel, Ethics Office
U.S. Environmental Protection Agency
(202) 564-7061
Griffo.Shannon@epa.gov

From: [Fugh, Justina](#)
To: [Utech, Dan](#)
Subject: FW: notification of (minor) pledge violation
Date: Sunday, May 02, 2021 10:58:00 PM

Hi Dan,

I am writing to notify you of a Biden pledge violation by Joe Goffman. It was quite minor and, as you will see from the email below, there were no ramifications. As we have done historically for pledge violations, I am notifying you as the supervisor and have also notified the White House. The White House declined to take any action, which I think is the correct course of action. We have resolved this minor infraction so I am just letting you know for your information. There is really nothing for you to do.

Justina

Justina Fugh | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Olorunnipa, Funmi B. EOP/WHO **Ex. 6 Personal Privacy (PP)**
Sent: Tuesday, April 27, 2021 3:31 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: notification of (minor) pledge violation

Thank Justina. We defer to the agencies on whom to notify but your course of action below seems reasonable to me.

From: Fugh, Justina <Fugh.Justina@epa.gov>
Sent: Tuesday, April 27, 2021 1:42 PM
To: Olorunnipa, Funmi B. EOP/WHO **Ex. 6 Personal Privacy (PP)**
Subject: notification of (minor) pledge violation

Hi there,

One of our non-career SES appointees, Joseph Goffman, realized belatedly that he acted on an email sent by a representative of his former employer, which is a technical violation of Section 2 of Executive Order 13989. He did not respond directly to the requestor but did forward the email to a subordinate with a recommendation about how to proceed. He copied the career chief of staff on that email, who alerted the appointee to his error, so he notified me.

This appointee had issued a recusal statement that names the career chief of staff as his screener. In addition, my staff had provided all of the politicals and key career staff in this

office with specialized training on invitations and recusals. Nevertheless, the oops occurred. To “unring the bell,” I advised the subordinate to disregard the instructions from the appointee. I also contacted the requestor to explain that the appointee would not be available to meet and that, going forward, any further inquiries should be sent to the career chief of staff instead. And I have reminded the appointee to be more careful going forward.

Do you have any advice about whom else to notify about this minor pledge violation?

Justina

Justina Fugh | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

From: Payne, James (Jim) [payne.james@epa.gov]
Sent: 8/19/2021 12:44:01 PM
To: Fugh, Justina [Fugh.Justina@epa.gov]
Subject: Fwd: Media Inquiry: Joseph Goffman Ethics Complaint
Attachments: ~WRD0003.jpg; Goffman IG complaint 1.pdf; Re: PPT Goffman Complaint

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

Begin forwarded message:

From: "Fugh, Justina" <Fugh.Justina@epa.gov>
Date: August 18, 2021 at 10:30:59 AM EDT
To: "Conrad, Daniel" <conrad.daniel@epa.gov>
Cc: "Payne, James (Jim)" <payne.james@epa.gov>
Subject: **FW: Media Inquiry: Joseph Goffman Ethics Complaint**

Hi Dan,
Joe Goffman got a similar request from the reporter.

I alerted Jim yesterday to the fact that Protect the Public Trust sent Sean O'Donnell and me (mistakenly referred to as the DAEO) the attached complaint. Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Let me know if you want me to answer any questions.
Happy Wednesday!
Justina

Justina Fugh (she/her) | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Fugh, Justina
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Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

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Sent: Wednesday, August 18, 2021 10:18 AM
To: Fugh, Justina <Fugh.Justina@epa.gov>
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Justina,

Just wanted to make sure you got this.

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Andrew Kerr
Investigative Reporter
Daily Caller News Foundation
(704)770-5938
@AndrewKerrNC

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Hi Justina,

I'm a reporter with the Daily Caller News Foundation.

Protect the Public's Trust, a watchdog group, filed a [complaint](#) today to the Environmental Protection Agency inspector general about a meeting EPA Deputy Assistant Administrator Joseph Goffman agreed to schedule with representatives from Harvard University in late April/early May. [Emails obtained by the group show](#) that shortly after Goffman agreed to the meeting, he informed you that his recusal bars you from agreeing to the meeting. You informed Goffman: "Now we have to unring the bell, which we will do without your knowledge or involvement."

Can you confirm whether or not this meeting between Goffman and Kathleen Fallon Lambert, Elise Sunderland and Charles Driscoll as described in this complaint ever took place? And can you clarify what you meant by "unring the bell"?

Best,

--

Andrew Kerr
Investigative Reporter
Daily Caller News Foundation
(704)770-5938
@AndrewKerrNC

--

--

Andrew Kerr

Investigative Reporter

Daily Caller News Foundation

(704)770-5938

@AndrewKerrNC

Message

From: Raviv, Adam M. EOP/WHO: **Ex. 6 Personal Privacy (PP)**
Sent: 11/3/2021 3:40:04 PM
To: Fugh, Justina [Fugh.Justina@epa.gov]
Subject: RE: notification of (minor) pledge violation

Thank you!

From: Fugh, Justina <Fugh.Justina@epa.gov>
Sent: Wednesday, November 3, 2021 11:38 AM
To: Raviv, Adam M. EOP/WHO: **Ex. 6 Personal Privacy (PP)**
Subject: FW: notification of (minor) pledge violation

Hi Adam,
Here's the exchange between Funmi and me about Joe Goffman.
Justina

Justina Fugh (she/her) | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North,
William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone
202-564-1786 | fax 202-564-1772

From: Olorunnipa, Funmi B. EOP/WHO: **Ex. 6 Personal Privacy (PP)**
Sent: Tuesday, April 27, 2021 3:31 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: notification of (minor) pledge violation

Thank Justina. We defer to the agencies on whom to notify but your course of action below seems reasonable to me.

From: Fugh, Justina <Fugh.Justina@epa.gov>
Sent: Tuesday, April 27, 2021 1:42 PM
To: Olorunnipa, Funmi B. EOP/WHO: **Ex. 6 Personal Privacy (PP)**
Subject: notification of (minor) pledge violation

Hi there,

One of our non-career SES appointees, Joseph Goffman, realized belatedly that he acted on an email sent by a representative of his former employer, which is a technical violation of Section 2 of Executive Order 13989. He did not respond directly to the requestor but did forward the email to a subordinate with a recommendation about how to proceed. He copied the career chief of staff on that email, who alerted the appointee to his error, so he notified me.

This appointee had issued a recusal statement that names the career chief of staff as his screener. In addition, my staff had provided all of the politicals and key career staff in this office with specialized training on invitations and recusals. Nevertheless, the oops occurred. To "unring the bell," I advised the subordinate to disregard the instructions from the appointee. I also contacted the requestor to explain that the appointee

would not be available to meet and that, going forward, any further inquiries should be sent to the career chief of staff instead. And I have reminded the appointee to be more careful going forward.

Do you have any advice about whom else to notify about this minor pledge violation?

Justina

Justina Fugh | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

From: Griffo, Shannon [Griffo.Shannon@epa.gov]
Sent: 3/14/2022 6:44:03 PM
To: Goffman, Joseph [Goffman.Joseph@epa.gov]
CC: Niebling, William [Niebling.William@epa.gov]; Fugh, Justina [Fugh.Justina@epa.gov]
Subject: RE: Senate Questionnaire -- 2 New Questions

Hi Joe,

For #4, your response will be "None." We don't reach back 10 years, but we answer "none" because we've already considered what arises within the context of a conflict of interest or loss of impartiality.

For #5, we can't answer. EPA Ethics doesn't provide a template for this response.

Thanks!
Shannon

Shannon Griffo
Office of General Counsel, Ethics Office
U.S. Environmental Protection Agency
(202) 564-7061

From: Goffman, Joseph <Goffman.Joseph@epa.gov>
Sent: Sunday, March 13, 2022 4:41 PM
To: Griffo, Shannon <Griffo.Shannon@epa.gov>
Cc: Niebling, William <Niebling.William@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Senate Questionnaire -- 2 New Questions

Hi, Shannon. Hope you had a good weekend. William Niebling has realized that latest version of the Senate Questionnaire includes two questions that I did not ask you about (since I was working with an older version). I've pasted them in below in the hope that you can provide me with guidance on how to respond to them. Thanks.

4. Describe any business relationship, dealing or financial transaction which you have had during the last 10 years with any private corporation or 501(c)(4) organization (or funder or member entity of such an organization), whether for yourself or relatives (including a domestic partner), on behalf of a client, or acting as an agent, that might in any way constitute or result in a possible conflict of interest, or an appearance of conflict of interest, with the position to which you have been nominated.

JOE – PLEASE ANSWER

5. Please list any litigation during the last 10 years, to which the Federal Government was a party, which you have participated in either as a litigant, or acting as an agent. If you acted as a legal representative of others in litigation with the Federal Government, please specify who your clients were.

JOE – PLEASE ANSWER

Joseph Goffman
Principal Deputy Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

Message

From: Joseph Goffman **Ex. 6 Personal Privacy (PP)**
Sent: 9/28/2021 10:06:09 PM
To: Griffo, Shannon [Griffo.Shannon@epa.gov]
Subject: Fwd: OGE 278 -- Office of Government Ethics Followup Questionnaire secure
Attachments: **Ex. 6 Personal Privacy (PP)**

Shannon -- I take it that the document that **Ex. 6 Personal Privacy (PP)** sent is not really that relevant given that it doesn't differentiate between and among the different accounts that her firm manages, but I hope her earlier answer about my **Ex. 6 Personal Privacy (PP)**
Ex. 6 Personal Privacy (PP)

Please let me know if you want me to call **Ex. 6 Personal Privacy (PP)** to prompt pending responses and certainly feel free to call either of them directly.

Thanks.

----- Forwarded message -----

From: **Ex. 6 Personal Privacy (PP)**
Date: Tue, Sep 28, 2021 at 4:47 PM
Subject: RE: OGE 278 -- Office of Government Ethics Followup Questionnaire secure
To: Griffo, Shannon <Griffo.Shannon@epa.gov>, Joseph Goffman **Ex. 6 Personal Privacy (PP)**
Ex. 6 Personal Privacy (PP)

Dear All,

Attached is a combined holdings report as of the close of business September 23, 2021, for the following accounts:

Ex. 6 Personal Privacy (PP)

All best,

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

From: Griffo, Shannon <Griffo.Shannon@epa.gov>

Sent: Tuesday, September 28, 2021 3:17 PM

To: [REDACTED] **Ex. 6 Personal Privacy (PP)** 'Joseph Goffman' **Ex. 6 Personal Privacy (PP)**

Ex. 6 Personal Privacy (PP)

Subject: RE: OGE 278 -- Office of Government Ethics Followup Questionnaire

Hi all,

First, I just wanted to say I appreciate all the work everyone has put into the process so far. Right now we're focused on ensuring that Joe's report is *technically correct and accurate* – the scrutiny on such a report is much, much higher, which is why we'll likely have quite a few rounds of questions from OGE as we work through the report.

I know [REDACTED] has already sent some responses (thank you!) and I'll start looking at those shortly. But in the meantime one of the questions that Joe and I were discussing deals with confirming that the correct information for the appropriate time period is entered for the various parts. For Parts 2 (Filer's Employment Assets & Income and Retirement Accounts), 5 (Spouse's Employment Assets & Income and Retirement Accounts, and 6 (Other Assets and Income) – the reporting period will be the preceding CY (2020) up to filing date (September 23, 2021). Technically, you can choose any date that is fewer than 31 days before the filing date when valuing assets and liabilities. So if you chose a date that was earlier than 9/23, just let me know for consistency sake and in case OGE asks. But I'm guessing we are going with 9/23.

So as a refresher, let's look at the actual reporting requirements for stocks and Part 6 as an example. We need to report a stock if it had a value of more than \$1,000 at the end of the reporting period (date of filing; 9/23) OR if more than \$200 in income was received during the reporting period (1/1/20 – 9/23/20). So I need someone to confirm the report accurately reflects this.

And for Part 2 - Joe has [REDACTED] and we need to list each underlying asset of [REDACTED] that individually was worth more than \$1,000 at the end of the reporting period (date of filing; 9/23). You'll see the note from OGE that they do not treat tax-deferred income accruing within a retirement account as having been received because of the limitations on withdrawal and other regulatory requirements governing such accounts. However, you would need to report any distributions as having been received. Joe indicated he does [REDACTED] **Ex. 6 Personal Privacy (PP)**

Ex. 6 Personal Privacy (PP)

In case it's helpful, I've also included OGE's chart about the reporting periods for a Nominee Report at the bottom of this email.

I'll keep making changes to the report based on information Joe provides, as well as [REDACTED] **Ex. 6 Personal Privacy (PP)** But please feel free to go into INTEGRITY to make any necessary changes to the individual holdings as needed.

Again, thanks in advance for your help (and patience) as we sort through all this!

Shannon

Part	Report Information for the Following Period...	Report Information for the Following Individuals...
1. Filer's Positions Held Outside United States Government	Preceding Two Calendar Years to Filing Date	You
2. Filer's Employment Assets & Income and Retirement Accounts	Preceding Calendar Year to Filing Date*	You
3. Filer's Employment Agreements and Arrangements	As of Filing Date	You
4. Filer's Sources of Compensation Exceeding \$5,000 in a Year	Preceding Two Calendar Years to Filing Date	You
5. Spouse's Employment Assets & Income and Retirement Accounts	Preceding Calendar Year to Filing Date*	Your Spouse
6. Other Assets and Income	Preceding Calendar Year to Filing Date*	You, Your Spouse, and Dependent Children
7. Transactions	N/A – Leave this Part blank	N/A – Leave this Part blank
8. Liabilities	Preceding Calendar Year to Filing Date*	You, Your Spouse, and Dependent Children
9. Gifts and Travel Reimbursements	N/A – Leave this Part blank	N/A – Leave this Part blank

* For example, if today is March 3, 2019, the reporting period would run from January 1, 2018, to March 3, 2019. When valuing assets and liabilities, you may choose any date that is fewer than 31 days before the filing date.

Shannon Griffo

Office of General Counsel, Ethics Office

U.S. Environmental Protection Agency

(202) 564-7061

From: Joseph Goffman **Ex. 6 Personal Privacy (PP)**

Sent: Monday, September 27, 2021 8:02 PM

To: **Ex. 6 Personal Privacy (PP)**

Ex. 6 Personal Privacy (PP) Griffo, Shannon <Griffo.Shannon@epa.gov>; **Ex. 6 Personal Privacy (PP)**
Ex. 6 Personal Privacy (PP)

Subject: OGE 278 -- Office of Government Ethics Followup Questionnaire

Hi, **Ex. 6 Personal Privacy (PP)**

For **Ex. 6 Personal Privacy (PP)** there is no rest for the weary. The Office of Government Ethics has followed up the OGE 278 filing with 6 pages of questions. I have attached the document they sent. You will see that most of the answers have been filled in. There are, however, a handful that have been highlighted in yellow, which I think **Ex. 6 Personal Privacy (PP)** assisted by **Ex. 6 Personal Privacy (PP)** should be able to provide the information.

Ex. 6 Personal Privacy (PP) you'll see that one of the questions asks about **Ex. 6 Personal Privacy (PP)** I've attempted to provide the information about them, but I believe that it would be extremely helpful if you would take a look to see if I've got it right.

Ex. 6 Personal Privacy (PP) -- Shannon Griffio is the ethics attorney in the EPA Office of General Counsel who is handling this review and interacting with counterparts in the Office of Government Ethics and should be kept fully in the loop. Please "reply all" with any information or questions you may have since that may be the most efficient way to get some of these issues resolved. For example, you will see a reference to the reporting period for some of the information covering the period between January 1, 2020 and the present. If you have questions about what that means beyond the note I inserted next to that question, Shannon should be able to answer directly.

Shannon has also volunteered to hold the pen on any changes that need to be made to the 278, so that neither you **Ex. 6 Personal Privacy (PP)** nor I have to. She has her own access to the file.

Ex. 6 Personal Privacy (PP)

Finally, the Office of Government Ethics is a harsh taskmaster: we need to get the questionnaire back to them by COB Thursday if at all humanly possible (and notwithstanding that that is the end of the fiscal year. Yikes.)

Thank you all for your invaluable help on all this.

Best,

Joe

📧 TLS encrypted by **Smash Business Solutions**

Message

From: Ex. 6 Personal Privacy (PP)
Sent: 9/30/2021 3:09:09 PM
To: Griffo, Shannon [Griffo.Shannon@epa.gov]; Joseph Goffman Ex. 6 Personal Privacy (PP)
CC: Ex. 6 Personal Privacy (PP)
Subject: RE: OGE 278 -- Office of Government Ethics Followup Questionnaire secure
Attachments: Ex. 6 Personal Privacy (PP)

Hi Shannon,

As requested, attached are the holdings for the Ex. 6 Personal Privacy (PP) Goffman accounts as of the close of business September 23, 2021.

Best,

Ex. 6 Personal Privacy (PP)

From: Griffo, Shannon <Griffo.Shannon@epa.gov>
Sent: Wednesday, September 29, 2021 6:32 PM
To: Joseph Goffman Ex. 6 Personal Privacy (PP)
Cc: Ex. 6 Personal Privacy (PP)
Subject: RE: OGE 278 -- Office of Government Ethics Followup Questionnaire secure

Hi all,

Ex. 6 Personal Privacy (PP) I know you're slammed with tomorrow's deadline so perhaps we can schedule a call for either Friday or even early next week to talk through our outstanding questions? I'm giving updates to OGE on our progress and they are aware we are working with outside financial advisors who have other deadlines this week. We completely understand!

Ex. 6 Personal Privacy (PP) thanks for sending those reports. You mentioned being able to break out Ex. 6 Personal Privacy (PP) Would you be able to do that for us? I think that might be more helpful as we progress.

Oh and we need to agree on a date for valuation purposes. I said 9/23 since that's the date of filing, but if it's easier to just say 9/30 (with the end of the quarter), I'm good with that too. We just want to ensure consistency all around.

Thanks!
Shannon

Shannon Griffo
Office of General Counsel, Ethics Office
U.S. Environmental Protection Agency
(202) 564-7061

From: Joseph Goffman [Ex. 6 Personal Privacy (PP)]

Sent: Tuesday, September 28, 2021 8:30 PM

To: [Ex. 6 Personal Privacy (PP)]

Cc: [Ex. 6 Personal Privacy (PP)] Griffo, Shannon <Griffo.Shannon@epa.gov>; [Ex. 6 Personal Privacy (PP)]

[Ex. 6 Personal Privacy (PP)]

Subject: Re: OGE 278 -- Office of Government Ethics Followup Questionnaire secure

[Ex. 6 Personal Privacy (PP)] - Thanks for responding given the end-of-FY circumstances. I am attaching and re-sending the questionnaire, in which I flagged some questions to you, highlighted in yellow, etc. Please also note Shannon's email of 3:17 PM, in which she flags Parts 2, 5, and 6, and note the time period for which information needs to be logged and the nature of the information (e.g., [Ex. 6 Personal Privacy (PP)] Shannon -- anything to add? Would it make sense for you and [Ex. 6 Personal Privacy (PP)] to connect by phone?

Thanks, again.

On Tue, Sep 28, 2021 at 8:00 PM [Ex. 6 Personal Privacy (PP)] wrote:

Hi all,

Please let me know if something is needed from my end, sorry for the delay am up against a 9/30 deadline.

Regards,

[Ex. 6 Personal Privacy (PP)]

On Sep 28, 2021, at 4:46 PM, [Ex. 6 Personal Privacy (PP)] wrote:

WARNING: This e-mail originated from outside of [Ex. 6 Personal Privacy (PP)] Always use caution when opening attachments or clicking links.

Dear All,

Attached is a combined holdings report as of the close of business September 23, 2021, for the following accounts:

Ex. 6 Personal Privacy (PP)

All best,

[Ex. 6 Personal Privacy (PP)]

Ex. 6 Personal Privacy (PP)

From: Griffo, Shannon <Griffo.Shannon@epa.gov>

Sent: Tuesday, September 28, 2021 3:17 PM

To: Ex. 6 Personal Privacy (PP); 'Joseph Goffman'; Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Subject: RE: OGE 278 -- Office of Government Ethics Followup Questionnaire

Hi all,

First, I just wanted to say I appreciate all the work everyone has put into the process so far. Right now we're focused on ensuring that Joe's report is *technically correct and accurate* – the scrutiny on such a report is much, much higher, which is why we'll likely have quite a few rounds of questions from OGE as we work through the report.

I know [redacted] has already sent some responses (thank you!) and I'll start looking at those shortly. But in the meantime one of the questions that Joe and I were discussing deals with confirming that the correct information for the appropriate time period is entered for the various parts. For Parts 2 (Filer's Employment Assets & Income and Retirement Accounts), 5 (Spouse's Employment Assets & Income and Retirement Accounts, and 6 (Other Assets and Income) – the reporting period will be the preceding CY (2020) up to filing date (September 23, 2021). Technically, you can choose any date that is fewer than 31 days before the filing date when valuing assets and liabilities. So if you chose a date that was earlier than 9/23, just let me know for consistency sake and in case OGE asks. But I'm guessing we are going with 9/23.

So as a refresher, let's look at the actual reporting requirements for stocks and Part 6 as an example. We need to report a stock if it had a value of more than \$1,000 at the end of the reporting period (date of filing; 9/23) OR if more than \$200 in income was received during the reporting period (1/1/20 – 9/23/20). So I need someone to confirm the report accurately reflects this.

And for Part 2 - Joe has [redacted] and we need to list each underlying asset of [redacted] that individually was worth more than \$1,000 at the end of the reporting period (date of filing; 9/23). You'll see the note from OGE that they do not treat tax-deferred income accruing within a retirement account as having been received because of the limitations on withdrawal and other regulatory requirements governing such accounts. However, you would need to report any distributions as having been received. Joe indicated he [redacted]

Ex. 6 Personal Privacy (PP)

In case it's helpful, I've also included OGE's chart about the reporting periods for a Nominee Report at the bottom of this email.

I'll keep making changes to the report based on information Joe provides, as well as **Ex. 6 Personal Privacy (PP)** But please feel free to go into INTEGRITY to make any necessary changes to the individual holdings as needed.

Again, thanks in advance for your help (and patience) as we sort through all this!

Shannon

Part	Report Information for the Following Period...	Report Information for the Following Individuals...
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* For example, if today is March 3, 2019, the reporting period would run from January 1, 2018, to March 3, 2019. When valuing assets and liabilities, you may choose any date that is fewer than 31 days before the filing date.

Shannon Griffo

Office of General Counsel, Ethics Office

U.S. Environmental Protection Agency

(202) 564-7061

From: Joseph Goffman **Ex. 6 Personal Privacy (PP)**

Sent: Monday, September 27, 2021 8:02 PM

To: **Ex. 6 Personal Privacy (PP)** Griffio,
Shannon <Griffo.Shannon@epa.gov> **Ex. 6 Personal Privacy (PP)**
Subject: OGE 278 -- Office of Government Ethics Followup Questionnaire

Hi, **Ex. 6 Personal Privacy (PP)**

For **Ex. 6 Personal Privacy (PP)** there is no rest for the weary. The Office of Government Ethics has followed up the OGE 278 filing with 6 pages of questions. I have attached the document they sent. You will see that most of the answers have been filled in. There are, however, a handful that have been highlighted in yellow, which I think **Ex. 6 Personal Privacy (PP)** assisted by **Ex. 6 Personal Privacy (PP)** should be able to provide the information.

Ex. 6 Personal Privacy (PP) -- you'll see that one of the questions asks about **Ex. 6 Personal Privacy (PP)** I've attempted to provide the information about them, but I believe that it would be extremely helpful if you would take a look to see if I've got it right.

Ex. 6 Personal Privacy (PP) -- Shannon Griffio is the ethics attorney in the EPA Office of General Counsel who is handling this review and interacting with counterparts in the Office of Government Ethics and should be kept fully in the loop. Please "reply all" with any information or questions you may have since that may be the most efficient way to get some of these issues resolved. For example, you will see a reference to the reporting period for some of the information covering the period between January 1, 2020 and the present. If you have questions about what that means beyond the note I inserted next to that question, Shannon should be able to answer directly.

Shannon has also volunteered to hold the pen on any changes that need to be made to the 278, so that neither you **Ex. 6 Personal Privacy (PP)** nor I have to. She has her own access to the file.

Ex. 6 Personal Privacy (PP)

Finally, the Office of Government Ethics is a harsh taskmaster: we need to get the questionnaire back to them by COB Thursday if at all humanly possible (and notwithstanding that that is the end of the fiscal year. Yikes.)

Thank you all for your invaluable help on all this.

Best,
Joe

 TLS encrypted by Smarsh Business Solutions

Ex. 6 Personal Privacy (PP)

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Message

From: Ex. 6 Personal Privacy (PP)
Sent: 10/5/2021 12:00:12 AM
To: Griffo, Shannon [Griffo.Shannon@epa.gov]
CC: Joseph Goffman [Ex. 6 Personal Privacy (PP)]
Subject: RE: Schedule a call? OGE 278 -- Office of Government Ethics Followup Questionnaire secure

Hi Shannon,

Mornings are usually best for me as the afternoons have been getting quite hectic lately. If you are available tomorrow, please give me a call, I will be at my desk much of the morning.

Regards,

Ex. 6 Personal Privacy (PP)

> Sign up for our newsletter

From: Griffo, Shannon <Griffo.Shannon@epa.gov>
Sent: Monday, October 4, 2021 4:10 PM
To: Ex. 6 Personal Privacy (PP)
Cc: Joseph Goffman [Ex. 6 Personal Privacy (PP)]
Subject: Schedule a call? OGE 278 -- Office of Government Ethics Followup Questionnaire secure

WARNING: This e-mail originated from outside of Ex. 6 Personal Privacy (PP) Always use caution when opening attachments or clicking links.

Hi Ex. 6 Personal Privacy (PP)

Do you have time for a quick check-in? I'd like to walk through our outstanding questions and make sure you can confirm the holdings are correct for the appropriate time periods etc. Please let me know what time works for you this week. I've got availability Tuesday (except 10:30-12); Wednesday is fairly open; or Thursday morning.

Thanks!
Shannon

Shannon Griffo

Office of General Counsel, Ethics Office
U.S. Environmental Protection Agency
(202) 564-7061

From: Griffo, Shannon

Sent: Wednesday, September 29, 2021 6:32 PM

To: Joseph Goffman [Ex. 6 Personal Privacy (PP)]

Cc: [Ex. 6 Personal Privacy (PP)]

Subject: RE: OGE 278 -- Office of Government Ethics Followup Questionnaire secure

Hi all,

[Ex. 6 Personal Privacy (PP)] -- I know you're slammed with tomorrow's deadline so perhaps we can schedule a call for either Friday or even early next week to talk through our outstanding questions? I'm giving updates to OGE on our progress and they are aware we are working with outside financial advisors who have other deadlines this week. We completely understand!

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Oh and we need to agree on a date for valuation purposes. I said 9/23 since that's the date of filing, but if it's easier to just say 9/30 (with the end of the quarter), I'm good with that too. We just want to ensure consistency all around.

Thanks!
Shannon

Shannon Griffo
Office of General Counsel, Ethics Office
U.S. Environmental Protection Agency
(202) 564-7061

From: Joseph Goffman [Ex. 6 Personal Privacy (PP)]

Sent: Tuesday, September 28, 2021 8:30 PM

To: [Ex. 6 Personal Privacy (PP)]

Cc: [Ex. 6 Personal Privacy (PP)] Griffo, Shannon <Griffo.Shannon@epa.gov>; [Ex. 6 Personal Privacy (PP)]
[Ex. 6 Personal Privacy (PP)]

Subject: Re: OGE 278 -- Office of Government Ethics Followup Questionnaire secure

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ED_006623D_00001495-00002

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Ex. 6 Personal Privacy (PP)

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Shannon Griffo
Office of General Counsel, Ethics Office
U.S. Environmental Protection Agency
(202) 564-7061

From: Joseph Goffman [Ex. 6 Personal Privacy (PP)]
Sent: Monday, September 27, 2021 8:02 PM
To: [Ex. 6 Personal Privacy (PP)]; Griffo, Shannon <Griffo.Shannon@epa.gov> [Ex. 6 Personal Privacy (PP)]
Subject: OGE 278 -- Office of Government Ethics Followup Questionnaire

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Joe

🔒 TLS encrypted by Smarsh Business Solutions

Ex. 6 Personal Privacy (PP)

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Message

From: Joseph Goffman [Ex. 6 Personal Privacy (PP)]
Sent: 10/8/2021 1:16:52 AM
To: Griffio, Shannon [Griffio.Shannon@epa.gov]
Subject: Re: Another Check-in from Ethics

Thank you, Shannon.

On Thu, Oct 7, 2021 at 4:16 PM Griffio, Shannon <Griffio.Shannon@epa.gov> wrote:

Done. I also said we need to get something to OGE by next week so hopefully a set deadline for his "final review" will help speed things along.

Shannon Griffio
Office of General Counsel, Ethics Office
U.S. Environmental Protection Agency
(202) 564-7061

From: Joseph Goffman [Ex. 6 Personal Privacy (PP)]
Sent: Thursday, October 7, 2021 4:06 PM
To: Griffio, Shannon <Griffio.Shannon@epa.gov>
Subject: Re: Another Check-in from Ethics

Thanks, Shannon. Would you mind just checking in with [Ex. 6 Personal Privacy (PP)] to confirm that he understands that we read his email to mean that the ball is still in his court? Thanks, again.

On Thu, Oct 7, 2021 at 3:55 PM Griffio, Shannon <Griffio.Shannon@epa.gov> wrote:

[Ex. 6 Personal Privacy (PP)] definitely made some edits in the report. So based on his email from this morning, I'll await word from him that his final review is complete. Then I'll get in there and clean it up as needed. Once I'm done with that, I'll circle back with you.

Technically I'm off tomorrow but if we hear from [Ex. 6 Personal Privacy (PP)] I'll sign on at some point over the weekend and review his changes to keep things moving. I'll keep you posted!

Thanks!

Shannon Griffio
Office of General Counsel, Ethics Office
U.S. Environmental Protection Agency
(202) 564-7061

From: Joseph Goffman Ex. 6 Personal Privacy (PP)
Sent: Wednesday, October 6, 2021 7:10 PM
To: Griffo, Shannon <Griffo.Shannon@epa.gov>
Subject: Re: Another Check-in from Ethics

Hi, again, Shannon. I just read the document. Everything looks accurate, with the contributions of Ex. 6 Personal Privacy (PP) still pending, it looks like -- although I can't completely tell whether he went back in or not to implement the instructions. Maybe you can?

Meanwhile, thanks so much for taking care of adding the material you added to the 278 and to the sheet.

Things in OAR world will be nutty until Friday afternoon, which is blocked out as "management time". I have a bunch of ministerial/personnel tasks to complete, but can certainly use that time for this work if you think it would make sense for us to connect or if you want me to do something further..

Thanks.

On Wed, Oct 6, 2021 at 3:42 PM Griffo, Shannon <Griffo.Shannon@epa.gov> wrote:

I changed the date to November in INTEGRITY and made a minor edit to the attached to reflect no other retirement plans.

I know you all are slammed over there! No rush. I'm really waiting to hear from Ex. 6 Personal Privacy (PP) so we can proceed with the "final" review. Good luck!

Shannon Griffo
Office of General Counsel, Ethics Office
U.S. Environmental Protection Agency
(202) 564-7061

From: Joseph Goffman Ex. 6 Personal Privacy (PP)
Sent: Wednesday, October 6, 2021 3:35 PM
To: Griffo, Shannon <Griffo.Shannon@epa.gov>
Subject: Re: Another Check-in from Ethics

Thanks, Shannon. Harvard start date was 11/1/17; end date was 1/19/20. The EDF plan Ex. 6 Personal Privacy (PP) Ex. 6 Personal Privacy (PP) and is reflected in the account sheet Ex. 6 Personal Privacy (PP) sent last week. ;Hectic day here on OAR. More to you this evening. Thanks, again.

On Wed, Oct 6, 2021 at 3:31 PM Griffo, Shannon <Griffo.Shannon@epa.gov> wrote:
Hi Joe,

Thanks for the voicemail yesterday. At this point, I thought the easiest thing to do would be to send you my updated chart which reflects where we currently stand. I can tell that [Ex. 6 Personal Privacy (PP)] was signed into INTEGRITY this morning working on your report so that's good news! I've noted the questions where we are still waiting for his input. But we are making progress!

The only thing I need from you right now is related to the non-federal retirement plans. I added your two Harvard ones, but needed to confirm the date your participation with these plans began – meaning your start date (month and year) at Harvard. Does October 2017 sound right?

And then finally, is Harvard the only missing one? Nothing from EDF?

You can also take a glance at the attached and let me know if you see any discrepancies with any of our previous discussions/correspondence.

Hopefully we will hear from [Ex. 6 Personal Privacy (PP)] soon that his review and edits are complete.

Thanks!

Shannon

Shannon Griffo
Office of General Counsel, Ethics Office
U.S. Environmental Protection Agency
(202) 564-7061

Message

From: Joseph Goffman [Ex. 6 Personal Privacy (PP)]
Sent: 11/18/2021 1:06:15 PM
To: Griffio, Shannon [Griffio.Shannon@epa.gov]
Subject: Re: This Afternoon's Exchange Between [Ex. 6 Personal Privacy (PP)]

Thank you.

On Thu, Nov 18, 2021 at 5:05 AM Griffio, Shannon <Griffio.Shannon@epa.gov> wrote:

I'm putting together a chart this morning – which is what we'll eventually give to OGE. I'll send it to everyone to fill in any missing gaps and double check the proposed changes.

Thanks!

Shannon Griffio
Office of General Counsel, Ethics Office
U.S. Environmental Protection Agency
(202) 564-7061

From: Joseph Goffman [Ex. 6 Personal Privacy (PP)]
Sent: Wednesday, November 17, 2021 8:15 PM
To: Griffio, Shannon <Griffio.Shannon@epa.gov>
Subject: This Afternoon's Exchange Between [Ex. 6 Personal Privacy (PP)]

Do you have a sense of how to proceed here? Thanks.

Message

From: Griffo, Shannon [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6C901EB2C3BA4556A4A581B8816D5A9A-VALLANCE, SHANNON]
Sent: 10/4/2021 8:09:40 PM
To: [Ex. 6 Personal Privacy (PP)]
CC: Joseph Goffman; [Ex. 6 Personal Privacy (PP)]
Subject: Schedule a call? OGE 278 -- Office of Government Ethics Followup Questionnaire secure

Hi [Ex. 6 Personal Privacy (PP)]

Do you have time for a quick check-in? I'd like to walk through our outstanding questions and make sure you can confirm the holdings are correct for the appropriate time periods etc. Please let me know what time works for you this week. I've got availability Tuesday (except 10:30-12); Wednesday is fairly open; or Thursday morning.

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Shannon Griffo
Office of General Counsel, Ethics Office
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From: Griffo, Shannon
Sent: Wednesday, September 29, 2021 6:32 PM
To: Joseph Goffman; [Ex. 6 Personal Privacy (PP)]
Cc: [Ex. 6 Personal Privacy (PP)]
Subject: RE: OGE 278 -- Office of Government Ethics Followup Questionnaire secure

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Oh and we need to agree on a date for valuation purposes. I said 9/23 since that's the date of filing, but if it's easier to just say 9/30 (with the end of the quarter), I'm good with that too. We just want to ensure consistency all around.

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From: Joseph Goffman [Ex. 6 Personal Privacy (PP)]
Sent: Tuesday, September 28, 2021 8:30 PM

To: Ex. 6 Personal Privacy (PP)
Cc: Ex. 6 Personal Privacy (PP) Griffo, Shannon <Griffo.Shannon@epa.gov> Ex. 6 Personal Privacy (PP)
Ex. 6 Personal Privacy (PP)

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All best,

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

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Sent: Tuesday, September 28, 2021 3:17 PM

To: **Ex. 6 Personal Privacy (PP)**

'Joseph Goffman'

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

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I know [REDACTED] has already sent some responses (thank you!) and I'll start looking at those shortly. But in the meantime one of the questions that Joe and I were discussing deals with confirming that the correct information for the appropriate time period is entered for the various parts. For Parts 2 (Filer's Employment Assets & Income and Retirement Accounts), 5 (Spouse's Employment Assets & Income and Retirement Accounts, and 6 (Other Assets and Income) – the reporting period will be the preceding CY (2020) up to filing date (September 23, 2021). Technically, you can choose any date that is fewer than 31 days before the filing date when valuing assets and liabilities. So if you chose a date that was earlier than 9/23, just let me know for consistency sake and in case OGE asks. But I'm guessing we are going with 9/23.

So as a refresher, let's look at the actual reporting requirements for stocks and Part 6 as an example. We need to report a stock if it had a value of more than \$1,000 at the end of the reporting period (date of filing; 9/23) OR if more than \$200 in income was received during the reporting period (1/1/20 – 9/23/20). So I need someone to confirm the report accurately reflects this.

And for Part 2 - Joe has [REDACTED] and we need to list each underlying asset of [REDACTED] that individually was worth more than \$1,000 at the end of the reporting period (date of filing; 9/23). You'll see the note from OGE that they do not treat tax-deferred income accruing within a retirement account as having been received because of the limitations on withdrawal and other regulatory requirements governing such accounts. However, you would need to report any distributions as having been received. Joe indicated he [REDACTED]

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

In case it's helpful, I've also included OGE's chart about the reporting periods for a Nominee Report at the bottom of this email.

I'll keep making changes to the report based on information Joe provides, as well as [REDACTED] But please feel free to go into INTEGRITY to make any necessary changes to the individual holdings as needed.

Again, thanks in advance for your help (and patience) as we sort through all this!

Shannon

Part	Report Information for the Following Period...	Report Information for the Following Individuals...
1. Filer's Positions Held Outside United States Government	Preceding Two Calendar Years to Filing Date	You
2. Filer's Employment Assets & Income and Retirement Accounts	Preceding Calendar Year to Filing Date*	You
3. Filer's Employment Agreements and Arrangements	As of Filing Date	You
4. Filer's Sources of Compensation Exceeding \$5,000 in a Year	Preceding Two Calendar Years to Filing Date	You
5. Spouse's Employment Assets & Income and Retirement Accounts	Preceding Calendar Year to Filing Date*	Your Spouse
6. Other Assets and Income	Preceding Calendar Year to Filing Date*	You, Your Spouse, and Dependent Children
7. Transactions	N/A – Leave this Part blank	N/A – Leave this Part blank
8. Liabilities	Preceding Calendar Year to Filing Date*	You, Your Spouse, and Dependent Children
9. Gifts and Travel Reimbursements	N/A – Leave this Part blank	N/A – Leave this Part blank

* For example, if today is March 3, 2019, the reporting period would run from January 1, 2018, to March 3, 2019. When valuing assets and liabilities, you may choose any date that is fewer than 31 days before the filing date.

Shannon Griffo

Office of General Counsel, Ethics Office

U.S. Environmental Protection Agency

(202) 564-7061

From: Joseph Goffman Ex. 6 Personal Privacy (PP)

Sent: Monday, September 27, 2021 8:02 PM

To: Ex. 6 Personal Privacy (PP) Griffo, Shannon <Griffo.Shannon@epa.gov>; Ex. 6 Personal Privacy (PP)

Subject: OGE 278 -- Office of Government Ethics Followup Questionnaire

Hi, **Ex. 6 Personal Privacy (PP)**

For **Ex. 6 Personal Privacy (PP)** there is no rest for the weary. The Office of Government Ethics has followed up the OGE 278 filing with 6 pages of questions. I have attached the document they sent. You will see that most of the answers have been filled in. There are, however, a handful that have been highlighted in yellow, which I think **Ex. 6 Personal Privacy (PP)** assisted by **Ex. 6 Personal Privacy (PP)** should be able to provide the information.

Ex. 6 Personal Privacy (PP) -- you'll see that one of the questions asks about **Ex. 6 Personal Privacy (PP)**. I've attempted to provide the information about them, but I believe that it would be extremely helpful if you would take a look to see if I've got it right.

Ex. 6 Personal Privacy (PP) -- Shannon Griffo is the ethics attorney in the EPA Office of General Counsel who is handling this review and interacting with counterparts in the Office of Government Ethics and should be kept fully in the loop. Please "reply all" with any information or questions you may have since that may be the most efficient way to get some of these issues resolved. For example, you will see a reference to the reporting period for some of the information covering the period between January 1, 2020 and the present. If you have questions about what that means beyond the note I inserted next to that question, Shannon should be able to answer directly.

Shannon has also volunteered to hold the pen on any changes that need to be made to the 278, so that neither you **Ex. 6 Personal Privacy (PP)** nor I have to. She has her own access to the file.

Ex. 6 Personal Privacy (PP)

Finally, the Office of Government Ethics is a harsh taskmaster: we need to get the questionnaire back to them by COB Thursday if at all humanly possible (and notwithstanding that that is the end of the fiscal year. Yikes.)

Thank you all for your invaluable help on all this.

Best,

Joe

 T.S. encrypted by Smash Business Solutions

Ex. 6 Personal Privacy (PP)

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Message

From: Griffo, Shannon [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6C901EB2C3BA4556A4A581B8816D5A9A-VALLANCE, SHANNON]
Sent: 10/5/2021 5:27:17 PM
To: Joseph Goffman [Ex. 6 Personal Privacy (PP)]
Subject: UPDATE - RE [Ex. 6 Personal Privacy (PP)] Statements by Month

Hi Joe,

I connected with [Ex. 6 Personal Privacy (PP)] this morning and you'll see my email to him summarizing our discussion and laying out the detailed questions/instructions on what we need him to do. He is under another upcoming deadline on 10/15 but said he'd get to work on this. And thanks for the kind offer, but you don't need to send me a recap. I think I've pieced together everything. I'll continue to send you separate notes for any missing bits. I think I've got one follow-up question on [Ex. 6 Personal Privacy (PP)] but I'll send a note to you and [Ex. 6 Personal Privacy (PP)] Stay tuned!

Yes, I had a rough few days but thankfully I'm feeling much better today! Phew!

Shannon Griffo
Office of General Counsel, Ethics Office
U.S. Environmental Protection Agency
(202) 564-7061

From: Joseph Goffman [Ex. 6 Personal Privacy (PP)]
Sent: Monday, October 4, 2021 2:14 PM
To: Griffo, Shannon <Griffo.Shannon@epa.gov>
Subject: Re: [Ex. 6 Personal Privacy (PP)] Statements by Month

I'm really sorry to hear that your ailment is not one of those that promotes a "snap back" recovery. As much as I appreciate your weighing in while still on sick leave, better for you to take care of yourself than rush back. I will look out for your email to [Ex. 6 Personal Privacy (PP)] and then follow up. Once you send me the signal that you really are back at work, I will send you a recap of what I sent you so you don't have to go digging back through your email unguided. Thanks.

On Mon, Oct 4, 2021 at 2:04 PM Griffo, Shannon <Griffo.Shannon@epa.gov> wrote:

Thanks Joe. I'm still not back to working, but should be by tomorrow. I'm hoping one more day will get me back to normal!

In the meantime, I never heard back from [Ex. 6 Personal Privacy (PP)] about setting up a call. I'm going to ping him again today and cc you. And tomorrow I'll spend a good amount of time on your report.

Shannon Griffo
Office of General Counsel, Ethics Office
U.S. Environmental Protection Agency
(202) 564-7061

From: Joseph Goffman [Ex. 6 Personal Privacy (PP)]
Sent: Sunday, October 3, 2021 5:58 PM

To: Griffo, Shannon <Griffo.Shannon@epa.gov>

Subject: Fwd: Ex. 6 Personal Privacy (PP) Statements by Month

Hi, Shannon. Hope you are feeling better. It occurred to me that since Ex. 6 Personal Privacy (PP) sent along statements of account for my Ex. 6 Personal Privacy (PP) (on September 30) it might make sense to send you roughly corresponding documents for the Ex. 6 Personal Privacy (PP) Thanks.

----- Forwarded message -----

From: Joseph Goffman Ex. 6 Personal Privacy (PP)

Date: Tue, Sep 21, 2021 at 5:11 PM

Subject: Ex. 6 Personal Privacy (PP) Statements by Month

To: Ex. 6 Personal Privacy (PP)

Only go back to March, but I think we filed a 278 T in February. Note that Jeanne Duross said something about "populating" the updated 278 "automatically" with the entries from the 278 already filed. Thanks.

Message

From: Griffo, Shannon [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6C901EB2C3BA4556A4A581B8816D5A9A-VALLANCE, SHANNON]
Sent: 10/7/2021 11:44:52 AM
To: Ex. 6 Personal Privacy (PP)
CC: Joseph Goffman; Ex. 6 Personal Privacy (PP)
Subject: RE: Follow-up from EPA Ethics

Sounds great! Thanks for the update. We'll await your final review and really appreciate your attention to this.

Shannon Griffo
Office of General Counsel, Ethics Office
U.S. Environmental Protection Agency
(202) 564-7061

From: Ex. 6 Personal Privacy (PP)
Sent: Wednesday, October 6, 2021 9:13 PM
To: Griffo, Shannon <Griffo.Shannon@epa.gov>
Cc: Joseph Goffman; Ex. 6 Personal Privacy (PP)
Subject: Re: Follow-up from EPA Ethics

Hi Shannon,

Edits were made to the report today, I just need to go through once more and ensure all is completed.

Regards,

Ex. 6 Personal Privacy (PP)

On Oct 5, 2021, at 1:06 PM, Griffo, Shannon <Griffo.Shannon@epa.gov> wrote:

WARNING: This e-mail originated from outside of Ex. 6 Personal Privacy (PP). Always use caution when opening attachments or clicking links.

Hi Ex. 6 Personal Privacy (PP)

Thanks for chatting with me this morning, especially during your busiest time! Again, I apologize that the timing of this isn't ideal. But as promised, I'm following up with the specific questions/instructions on what we need from you in your role as Joe's designee for his Nominee Report. Hopefully this will make it somewhat easier for you.

1. We need you to double check everything to confirm it is the correct information for the appropriate time periods. All assets should be reported accurately based on those reporting periods. You indicated we will be using 9/23 as the end of the reporting period for the purpose of valuing assets. I know Ex. 6 Personal Privacy (PP) has been resending various portfolios/holdings etc. Just check that the date is consistent all around. Also, it sounds like you already have a good grasp of what needs to be reported but here's the quick refresher:

Reporting periods for Parts 2 and 6: Preceding CY2020 through 9/23/21.

What to report: We need to report a stock, bond etc. if it had a value of more than \$1,000 at the end of the reporting period (9/23) OR if more than \$200 in income was received during the reporting period (1/1/20 – 9/23/20).

2. Stocks that have been divested pursuant to a certificate of divestiture: You can delete these from the report. Joe no longer holds them and technically no “income” was received during the reporting period. His 278-Ts will suffice.
3. Other assets that are below the reporting thresholds (meaning less than \$1,000 in value AND “None (or less than \$201)” for income amount):

Ex. 6 Personal Privacy (PP); Ex. 3 (EIGA)

Ex. 6 Personal Privacy (PP); Ex. 3 (EIGA)

Ex. 6 Personal Privacy (PP); Ex. 6 (EIGA)

I think that’s it for now. Once you’ve been able to confirm everything looks good and made any necessary changes to the report, please let me know so we can proceed accordingly. And of course, let me know if you have any questions.

Thanks so much for your assistance with this!!
Shannon

Shannon Griffo
Office of General Counsel, Ethics Office
U.S. Environmental Protection Agency
(202) 564-7061

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Message

From: Griffo, Shannon [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6C901EB2C3BA4556A4A581B8816D5A9A-VALLANCE, SHANNON]
Sent: 10/9/2021 2:46:11 PM
To: Joseph Goffman; **Ex. 6 Personal Privacy (PP)**
Subject: Report is ready for your Review
Attachments: First Round OGE Questions - Goffman Responses 10_9_21.docx

Hi Joe,

Hope you're having a nice (and somewhat relaxing) weekend! **Ex. 6 Personal Privacy (PP)** has finished his edits in your Nominee Report and I spent some time this morning going through everything. I only had two minor follow-up questions for him. One dealt with the correct fund name/symbol for a holding **Ex. 6 Personal Privacy (PP)** **Ex. 6 Personal Privacy (PP)** Otherwise, I think it's ready for your review! I updated our chart to send OGE and the only thing left was the second box on the first page. I think **Ex. 6 Personal Privacy (PP)** has adequately addressed that, but wanted to make sure you've had a chance to go through everything as well.

Let me know if you have any additional edits or comments. And once you give it the green light, I'll send over our responses to OGE.

Thanks,
Shannon

Shannon Griffo
Office of General Counsel, Ethics Office
U.S. Environmental Protection Agency
(202) 564-7061

Message

From: Payne, James (Jim) [payne.james@epa.gov]
Sent: 8/18/2021 10:03:59 PM
To: Hoffer, Melissa [Hoffer.Melissa@epa.gov]
Subject: FW: REVISION!!! Media Inquiry: Joseph Goffman Ethics Complaint

From: Payne, James (Jim)
Sent: Wednesday, August 18, 2021 12:56 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>; Conrad, Daniel <conrad.daniel@epa.gov>
Subject: RE: REVISION!!! Media Inquiry: Joseph Goffman Ethics Complaint

Looks good to me, thanks.

From: Fugh, Justina <Fugh.Justina@epa.gov>
Sent: Wednesday, August 18, 2021 12:54 PM
To: Conrad, Daniel <conrad.daniel@epa.gov>; Payne, James (Jim) <payne.james@epa.gov>
Subject: REVISION!!! Media Inquiry: Joseph Goffman Ethics Complaint

I had to go back through my emails to see that Joe's right, he did notify me directly, though after he had already responded. I had forgotten So here you go:

Ex. 5 Deliberative Process (DP)

From: Fugh, Justina
Sent: Wednesday, August 18, 2021 12:46 PM
To: Conrad, Daniel <conrad.daniel@epa.gov>; Payne, James (Jim) <payne.james@epa.gov>
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Here you go:

Ex. 5 Deliberative Process (DP)

From: Conrad, Daniel <conrad.daniel@epa.gov>
Sent: Wednesday, August 18, 2021 12:19 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>; Payne, James (Jim) <payne.james@epa.gov>
Subject: Fwd: Media Inquiry: Joseph Goffman Ethics Complaint

Jim and Justina you've both already seen this request, see the below draft response from OPA and let me know if you have any edits/concerns.

-Dan

Begin forwarded message:

From: "Carroll, Timothy" <Carroll.Timothy@epa.gov>
Date: August 18, 2021 at 12:05:57 PM EDT
To: "Conrad, Daniel" <conrad.daniel@epa.gov>
Cc: "Hamilton, Lindsay" <Hamilton.Lindsay@epa.gov>, "Grantham, Nancy" <Grantham.Nancy@epa.gov>
Subject: Re: Media Inquiry: Joseph Goffman Ethics Complaint

Taking this off press inbox, sorry about that.

From: EPA Press Office <Press@epa.gov>
Sent: Wednesday, August 18, 2021 12:05 PM
To: Conrad, Daniel <conrad.daniel@epa.gov>
Cc: Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Fw: Media Inquiry: Joseph Goffman Ethics Complaint

Hey Dan, see below. We'd like to respond with something along these lines and refer any additional questions to OIG, but wanted to get OGC's feedback. Let us know what you think, thanks!

Ex. 5 Deliberative Process (DP)

From: Andrew Kerr <akerr@dailycallernewsfoundation.org>
Sent: Tuesday, August 17, 2021 12:27 PM
To: EPA Press Office <Press@epa.gov>
Subject: Media Inquiry: Joseph Goffman Ethics Complaint

Hello,

I'm a reporter with the Daily Caller News Foundation.

Protect the Public's Trust, a watchdog group, filed a [complaint](#) today to the Environmental Protection Agency inspector general about a meeting EPA Deputy Assistant Administrator Joseph Goffman agreed to schedule with representatives from Harvard University in late April/early May. [Emails obtained by the group show](#) that shortly after Goffman agreed to the meeting, he informed an ethics officer that his recusal bars him from agreeing to them meeting. The ethics officer informed you: "Now we have to unring the bell, which we will do without your knowledge or involvement."

Can the EPA confirm whether or not this meeting between Goffman and Kathleen Fallon Lambert, Elise Sunderland and Charles Driscoll as described in this complaint ever took place? And can you clarify what was meant when the ethics officer said "unring the bell"?

Best,

--

Andrew Kerr
Investigative Reporter
Daily Caller News Foundation
(704)770-5938
@AndrewKerrNC

Message

From: Ex. 6 Personal Privacy (PP)
Sent: 6/24/2021 5:15:24 PM
To: Clarke, Victoria [clarke.victoria@epa.gov]; Ex. 6 Personal Privacy (PP)
CC: 'Joseph Goffman'; Ex. 6 Personal Privacy (PP)
Subject: RE: Sales Can Now Proceed.

Ex. 6 Personal Privacy (PP)

Let me know if you will prepare the 278 – T.
Best,

Ex. 6 Personal Privacy (PP)

From: Clarke, Victoria <clarke.victoria@epa.gov>
Sent: Thursday, June 24, 2021 12:06 PM
To: Ex. 6 Personal Privacy (PP)
Cc: 'Joseph Goffman'; Ex. 6 Personal Privacy (PP)
Subject: RE: Sales Can Now Proceed.

If you're buying diversified mutual funds/ETFs, there is no need to file a 278-T in INTEGRITY.

You're still more than welcome to file one, however, if you want to avoid manually inputting these entries into Joe's 278 annual report next year, since you can import all previously filed 278-Ts into the annual report.

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel | Ethics Office
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Ex. 6 Personal Privacy (PP)
Sent: Thursday, June 24, 2021 10:23 AM
To: Ex. 6 Personal Privacy (PP); Clarke, Victoria <clarke.victoria@epa.gov>
Cc: 'Joseph Goffman'; Ex. 6 Personal Privacy (PP)
Subject: RE: Sales Can Now Proceed.

Dear Ex. 6 Personal Privacy (PP)

We confirm the sales under the Certificates of Divestiture have been executed. Ex. 6 Personal Privacy (PP) what information do you need from us to report to IRS? – see following

(b) *Internal Revenue Service reporting requirements.* An eligible person who elects to defer the recognition of capital gains from the sale of property pursuant to a Certificate of Divestiture must follow Internal Revenue Service rules for reporting the sale of the property and the reinvestment transaction.

Also, we plan to proceed with re-investment today. Please advise if there are any pre-clearing or reporting requirements.

Thank you!

Best

Ex. 6 Personal Privacy (PP)

From: **Ex. 6 Personal Privacy (PP)**

Sent: Tuesday, June 22, 2021 1:22 PM

To: **Ex. 6 Personal Privacy (PP)**

Subject: RE: Sales Can Now Proceed.

H **Ex. 6 Personal Privacy (PP)**

I did not see anything specifically disallowing a partial investment. It appears the deferral of the recognition of gain is an election as discussed in the attached, so I suppose you can choose to defer a portion of the gain and realize some gain.

Regards,

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

➤ [Sign up for our newsletter](#)

From: Ex. 6 Personal Privacy (PP)
Sent: Tuesday, June 22, 2021 11:45 AM
To: Ex. 6 Personal Privacy (PP)
Cc: Ex. 6 Personal Privacy (PP); 'Clarke, Victoria' <clarke.victoria@epa.gov> Ex. 6 Personal Privacy (PP)
Ex. 6 Personal Privacy (PP) 'Joseph Goffman' Ex. 6 Personal Privacy (PP)
Ex. 6 Personal Privacy (PP)
Subject: RE: Sales Can Now Proceed.

WARNING: This e-mail originated from outside of Ex. 6 Personal Privacy (PP) Always use caution when opening attachments or clicking links.

Ex. 6 Personal Privacy (PP)

Can you help regarding my questions below?

Thanks.

Ex. 6 Personal Privacy (PP)

From: Clarke, Victoria <clarke.victoria@epa.gov>
Sent: Tuesday, June 22, 2021 11:36 AM
To: Ex. 6 Personal Privacy (PP)
Cc: Ex. 6 Personal Privacy (PP); 'Joseph Goffman'
Ex. 6 Personal Privacy (PP)
Ex. 6 Personal Privacy (PP)
Subject: RE: Sales Can Now Proceed.

Hi Ex. 6 Personal Privacy (PP)

Yes, you can proceed with the sale of the assets and then reinvest the proceeds from those sales into diversified mutual funds/ETFs.

As for the particulars of your questions, I am not going to be of much help, as they touch upon IRS and tax laws that I am not familiar with. That said, you may find [Subpart J of the Financial Disclosure Regulations](#) helpful, as it may point you to certain areas of the tax code that can answer your questions.

Victoria

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel | Ethics Office
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149

From: Ex. 6 Personal Privacy (PP)

Sent: Tuesday, June 22, 2021 9:53 AM

To: Clarke, Victoria <clarke.victoria@epa.gov>

C: Ex. 6 Personal Privacy (PP), 'Joseph Goffman'

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Subject: RE: Sales Can Now Proceed.

Good morning, Victoria,

To confirm, we should proceed as usual with the sales in accordance with the CDs, then purchase an equivalent dollar amount of securities in a diversified mutual fund/ ETF? Then adjust the cost basis to those of the securities under the CDs? If the account will need funds for expenses or taxes, must all the proceeds be re-invested? Is there paperwork required to justify the new costs?

Thanks,

Ex. 6 Personal Privacy (PP)

From: Joseph Goffman Ex. 6 Personal Privacy (PP)

Sent: Monday, June 21, 2021 6:19 PM

To: Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Cc: Clarke, Victoria <clarke.victoria@epa.gov> Ex. 6 Personal Privacy (PP)

Subject: Sales Can Now Proceed.

H, All.

Please find attached the certificates of divestiture issued by the Office of Government Ethics allowing the sales of the stocks enumerated in each certificate to go forward without exposure to capital gains taxation. Accordingly, please arrange for the sales as soon as possible. To the extent that the stocks are under my ownership, I hereby authorize the sales.

I am copying Victoria Clarke, with whom you have already worked on this matter, in case there are any questions.

I really appreciate the patience and effort you all have put into this. Many, many thanks.

Best,

Joe

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opinion, nor is it sufficient to avoid tax-related penalties. If desired, **Ex. 6 Personal Privacy (PP)** would be pleased to perform the requisite research and provide you with a detailed written analysis. Such an engagement may be the subject of a separate engagement letter that would define the scope and limits of the desired consultation services.

Message

From: Ex. 6 Personal Privacy (PP)
Sent: 6/22/2021 4:12:24 PM
To: Ex. 6 Personal Privacy (PP)
CC: Ex. 6 Personal Privacy (PP); Clarke, Victoria [clarke.victoria@epa.gov]; Ex. 6 Personal Privacy (PP);
Ex. 6 Personal Privacy (PP); Joseph Goffman; Ex. 6 Personal Privacy (PP)
Subject: RE: Sales Can Now Proceed.

Hi [Ex. 6 Personal Privacy (PP)]

I have handled this previously, but only in the capacity of investing equal dollar amounts into other securities. I will look into the rules in regards to partial investments and revert back.

Regards,

Ex. 6 Personal Privacy (PP)

>Sign up for our newsletter

From: Ex. 6 Personal Privacy (PP)
Sent: Tuesday, June 22, 2021 11:45 AM
To: Ex. 6 Personal Privacy (PP)
Cc: Ex. 6 Personal Privacy (PP); 'Clarke, Victoria' <clarke.victoria@epa.gov>; Ex. 6 Personal Privacy (PP);
Ex. 6 Personal Privacy (PP); Joseph Goffman; Ex. 6 Personal Privacy (PP)
Subject: RE: Sales Can Now Proceed.

WARNING: This e-mail originated from outside of [Ex. 6 Personal Privacy (PP)] Always use caution when opening attachments or clicking links.

[Ex. 6 Personal Privacy (PP)]

Can you help regarding my questions below?

Thanks,

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

From: Clarke, Victoria <clarke.victoria@epa.gov>

Sent: Tuesday, June 22, 2021 11:36 AM

To: Ex. 6 Personal Privacy (PP)

Cc: Ex. 6 Personal Privacy (PP); 'Joseph Goffman'

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Subject: RE: Sales Can Now Proceed.

Hi Pam,

Yes, you can proceed with the sale of the assets and then reinvest the proceeds from those sales into diversified mutual funds/ETFs.

As for the particulars of your questions, I am not going to be of much help, as they touch upon IRS and tax laws that I am not familiar with. That said, you may find [Subpart J of the Financial Disclosure Regulations](#) helpful, as it may point you to certain areas of the tax code that can answer your questions.

Victoria

Victoria Clarke
Attorney-Advisor
U.S. Environmental Protection Agency
Office of General Counsel | Ethics Office
Washington, D.C. | 7348 WJCN
EPA Office: 202-564-1149
EPA Cell: 202-336-9101

From: Ex. 6 Personal Privacy (PP)

Sent: Tuesday, June 22, 2021 9:53 AM

To: Clarke, Victoria <clarke.victoria@epa.gov>

Cc: Ex. 6 Personal Privacy (PP); 'Joseph Goffman'

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Subject: RE: Sales Can Now Proceed.

Good morning, Victoria,

To confirm, we should proceed as usual with the sales in accordance with the CDs, then purchase an equivalent dollar amount of securities in a diversified mutual fund/ ETF? Then adjust the cost basis to those of the securities under the CDs? If the account will need funds for expenses or taxes, must all the proceeds be re-invested? Is there paperwork required to justify the new costs?

Thanks,

Ex. 6 Personal Privacy (PP)

From: Joseph Goffman **Ex. 6 Personal Privacy (PP)**

Sent: Monday, June 21, 2021 6:19 PM

To: **Ex. 6 Personal Privacy (PP)**

Ex. 6 Personal Privacy (PP)

Cc: Clarke, Victoria <clarke.victoria@epa.gov> **Ex. 6 Personal Privacy (PP)**

Subject: Sales Can Now Proceed.

H, All.

Please find attached the certificates of divestiture issued by the Office of Government Ethics allowing the sales of the stocks enumerated in each certificate to go forward without exposure to capital gains taxation. Accordingly, please arrange for the sales as soon as possible. To the extent that the stocks are under my ownership, I hereby authorize the sales.

I am copying Victoria Clarke, with whom you have already worked on this matter, in case there are any questions.

I really appreciate the patience and effort you all have put into this. Many, many thanks.

Best,
Joe

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Message

From: Joseph Goffman [Ex. 6 Personal Privacy (PP)]
Sent: 9/25/2021 5:27:20 PM
To: Fugh, Justina [Fugh.Justina@epa.gov]
Subject: Re: Oh, while I'm thinking of it ...

Thanks for alerting me. No need for pinging my EPA email; I keep up with my gmail inbox regularly. Thanks, again.

On Sat, Sep 25, 2021 at 1:24 PM Fugh, Justina <Fugh.Justina@epa.gov> wrote:

As we review the nominee report, it's our to correspond with the candidate through the email associated with that report, which is your personal email address. If you don't check that during the work day, would you like for Shannon to send you a generic note to your EPA email to alert you to an email on the personal account?
Justina

From: Joseph Goffman [Ex. 6 Personal Privacy (PP)]
Sent: Saturday, September 25, 2021 9:52 AM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Fwd: OGE 278 Status

Hi, Justina. Sorry to email you on a Saturday AM, but I just want to get this in your queue for Monday morning.

Flagging the below to you since I gather from her auto-reply that Victoria is out. Jeanne described to me the rigors of the back-and-forth with OGE and the likely amount of time all that will take to conclude so I just want to make sure that this doesn't get lost during Victoria's absence.

Have a good weekend.

Thanks.

----- Forwarded message -----

From: Duross, Jeanne M. EOP/WHO [Ex. 6 Personal Privacy (PP)]
Date: Sat, Sep 25, 2021 at 9:34 AM
Subject: OGE 278 Status
To: Joseph Goffman [Ex. 6 Personal Privacy (PP)]

Hi Joe,

I heard from OGE late yesterday that they sent their first round of questions/comments to EPA yesterday. So, I'm optimistic you'll hear from Victoria on Monday or Tuesday.

Thank you again for our conversation yesterday evening. I really appreciated your insights and your support.

-Jeanne

Jeanne Duross (she/her)

Senior Ethics Counsel

Ex. 6 Personal Privacy (PP)

The White House | Office of Presidential Personnel

Message

From: Joseph Goffman [Ex. 6 Personal Privacy (PP)]
Sent: 9/30/2021 3:41:16 AM
To: Fugh, Justina [Fugh.Justina@epa.gov]
CC: Griffo, Shannon [Griffo.Shannon@epa.gov]
Subject: Re: More follow-up from OGC/Ethics

Thanks, Justina. I have some ideas about how to set up a fact-checking process to put in place once you and Shannon are satisfied that the report is ready for that on a technical level.

On Wed, Sep 29, 2021 at 11:17 PM Fugh, Justina <Fugh.Justina@epa.gov> wrote:

Hi Joe,

Thanks for always being so quick to respond to our questions and comments. As Shannon indicated, these nominee reports attract scrutiny on steroids, so we want to be absolutely sure that the information is accurate and complete. We will do what we can to help [Ex. 6 Personal Privacy (PP)] understand what has to be reported, but you will need to sign it. By doing so, you are personally assuring that the information is true and accurate. In our experience, any discrepancies between a certified new entrant report and a nominee report, or corrections to a nominee report inevitably result in press stories. Each time, it's the filer who is held responsible for his report. Still, we know how important the nominee report is, so you have our attention and our commitment.

We'll get you through this!
Justina

Justina Fugh (she/her) | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Joseph Goffman [Ex. 6 Personal Privacy (PP)]
Sent: Wednesday, September 29, 2021 8:43 PM
To: Griffo, Shannon <Griffo.Shannon@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Re: More follow-up from OGC/Ethics

1. What month in 2019 [Ex. 6 Personal Privacy (PP)]

2. [Ex. 6 Personal Privacy (PP)]

[Ex. 6 Personal Privacy (PP)] THANK YOU.

3. [Ex. 6 Personal Privacy (PP)]

Ex. 6 Personal Privacy (PP)

4. [Ex. 6 Personal Privacy (PP)]

Ex. 6 Personal Privacy (PP)

Secondly,

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

And finally I wasn't sure who entered your holdings into the Nominee Report into INTEGRITY.

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP) ENTERED THEM. We need someone (you or your designee) to double check the holdings against the appropriate report. I've gone through and made as much edits as I could for technical correctness. But someone has to check accuracy. Because this is a Nominee Report, you will ultimately be responsible for affirming everything in the report is correct, and you'll be asked this very question by OGE more than once! I WILL ENSURE THAT THEY ARE DOUBLE-CHECKED. I VERY MUCH APPRECIATE YOUR NOTE TO Ex. 6 Personal Privacy (PP) EARLIER TODAY SUGGESTING THAT YOU AND HE GET ON THE PHONE ON FRIDAY OR EARLY NEXT WEEK. I THINK YOUR TAKING HIM BY THE VIRTUAL HAND AND WALKING HIM THROUGH WHAT IS NEEDED WOULD BE IMMENSELY HELPFUL ALL THE WAY AROUND. THE METHODOLOGY THAT IS REQUIRED FOR FORM OGE 278 DOES NOT CONFORM PRECISELY TO THE DEFAULTS OF ACCOUNTING SO Ex. 6 Personal Privacy (PP) WOULD BENEFIT FROM YOUR SUPPORT.

PLEASE LET ME KNOW WHEN YOU THINK THAT THE OGE 278 HAS GOTTEN TO THE POINT THAT IT IS READY TO BE DOUBLE-CHECKED

I'm also keeping track of my outstanding questions in our chart and an informal list below. I'll reach out to Ex. 6 Personal Privacy (PP) and set up a call so we can walk through what we still need below. I know he's been busy with his 9/30 deadline, so I'll suggest Friday or even early next week. I'm also going to reach out to OGE and keep them updated on our progress. I'll note that we are dealing with your financial advisors who are under other deadlines this week. They'll understand. Ex. 6 Personal Privacy (PP) also offered to break out Ex. 6 Personal Privacy (PP) since the last report she sent was combined, but I didn't think that included everything. I'm going to go ahead and take her up on that offer and see what she provides. Hopefully that would be more helpful. Ex. 6 Personal Privacy (PP) IS EXTREMELY COOPERATIVE AND COMPETENT AND HER FIRM SEEMS TO KEEP RECORDS IN A VARIETY OF FORMATS. SO PLEASE DO TAKE HER UP ON HER OFFER AND RELY ON HER IF YOU FEEL COMFORTABLE CONNECTING WITH HER DIRECTLY.

Okay I think that's it for now. I'm cc'ing Justina to keep her in the loop as well. I WAS ALREADY OUTNUMBERED WHEN IT WAS JUST YOU, SHANNON, NOW IT'S SLAUGHTER. I CAN'T TELL YOU HOW MUCH I APPRECIATE YOUR TAKING ON THIS EXTREMELY COMPLICATED ASSIGNMENT.

Best,
Joe

On Wed, Sep 29, 2021 at 5:11 PM Griffio, Shannon <Griffio.Shannon@epa.gov> wrote:

Hi Joe,

Thanks for providing that additional information! I'll start first with a few hopefully easy follow-up questions:

1. What month in **Ex. 6 Personal Privacy (PP)**?

2. **Ex. 6 Personal Privacy (PP)**

Ex. 6 Personal Privacy (PP)

3. **Ex. 6 Personal Privacy (PP)**

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

4. **Ex. 6 Personal Privacy (PP)**

Ex. 6 Personal Privacy (PP)

Secondly, **Ex. 6 Personal Privacy (PP)**

Ex. 6 Personal Privacy (PP)

And finally I wasn't sure who entered your holdings into the Nominee Report into INTEGRITY. **Ex. 6 Personal Privacy (PP)** We need someone (you or your designee) to double check the holdings against the appropriate report. I've gone through and made as much edits as I could for technical correctness. But someone has to check accuracy. Because this is a Nominee Report, you will ultimately be responsible for affirming everything in the report is correct, and you'll be asked this very question by OGE more than once!

I'm also keeping track of my outstanding questions in our chart and an informal list below. I'll reach out to **Ex. 6 Personal Privacy (PP)** and set up a call so we can walk through what we still need below. I know he's been busy with his 9/30 deadline, so I'll suggest Friday or even early next week. I'm also going to reach out to OGE and keep them updated on our progress. I'll note that we are dealing with your financial advisors who are under other deadlines this week. They'll understand. **Ex. 6 Personal Privacy (PP)** also offered to break out **Ex. 6 Personal Privacy (PP)** since the last report she sent was combined, but I didn't think that included everything. I'm going to go ahead and take her up on that offer and see what she provides. Hopefully that would be more helpful.

Okay I think that's it for now. I'm cc'ing Justina to keep her in the loop as well.

Thanks,
Shannon

Outstanding items:

Ex. 6 Personal Privacy (PP)

Shannon Griffo

Office of General Counsel, Ethics Office
U.S. Environmental Protection Agency
(202) 564-7061

Message

From: Joseph Goffman [Ex. 6 Personal Privacy (PP)]
Sent: 10/1/2021 8:38:59 PM
To: Fugh, Justina [Fugh.Justina@epa.gov]
CC: Griffo, Shannon [Griffo.Shannon@epa.gov]
Subject: Re: if you need something today ...

Hi, Justina. It's very kind of you to offer to help while Shannon is recuperating. Shannon -- I do hope you are not down with 278itis and that you are getting better. I think I've delivered the last piece of information that's in my control to provide in this round -- although it may not have registered with Shannon yet if she's been out of commission. That piece is a statement of account [Ex. 6 Personal Privacy (PP)]

[Ex. 6 Personal Privacy (PP)]

[Ex. 6 Personal Privacy (PP)] It was the questionnaire OGE sent that prompted me to contact Harvard and ask about this.

Sorry for repeating myself, Shannon, but for Justina's benefit, my proposal for going forward is that once Shannon recovers she act on her idea of connecting with my designee and work with him to make sure that the current draft is complete and technically correct. Then, at that point, I could double check the entries on the holdings. I may try to recruit Shannon to "proctor" that double-checking exercise as I do it.

Thanks and have a great weekend.

Best,
Joe

On Fri, Oct 1, 2021 at 2:26 PM Fugh, Justina <Fugh.Justina@epa.gov> wrote:

Hi Joe,

Shannon was unexpectedly out of the office yesterday and today due to illness. I just heard from her, and she's getting better. If you need something today or over the weekend, please let me know.

Cheers,

Justina

Justina Fugh (she/her) | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

From: Joseph Goffman **Ex. 6 Personal Privacy (PP)**
Sent: 9/25/2021 5:22:23 PM
To: Fugh, Justina [Fugh.Justina@epa.gov]
Subject: Re: OGE 278 Status

Yay! Thanks so much for the reply and all the quick work.

On Sat, Sep 25, 2021 at 1:19 PM Fugh, Justina <Fugh.Justina@epa.gov> wrote:

Hi Joe,

Thanks for your note, and I've already given your report a quick review. I've assigned it to Shannon Griffo and alerted her to it on Friday. In the meantime, I've already heard from the OGE reviewer with her preliminary questions and sent those along to Shannon, too. She'll be at her virtual work station bright and early on Monday.

Justina

Justina Fugh (she/her) | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Joseph Goffman **Ex. 6 Personal Privacy (PP)**
Sent: Saturday, September 25, 2021 9:52 AM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Fwd: OGE 278 Status

Hi, Justina. Sorry to email you on a Saturday AM, but I just want to get this in your queue for Monday morning.

Flagging the below to you since I gather from her auto-reply that Victoria is out. Jeanne described to me the rigors of the back-and-forth with OGE and the likely amount of time all that will take to conclude so I just want to make sure that this doesn't get lost during Victoria's absence.

Have a good weekend.

Thanks.

----- Forwarded message -----

From: Duross, Jeanne M. EOP/WHO < > **Ex. 6 Personal Privacy (PP)**
Date: Sat, Sep 25, 2021 at 9:34 AM

Subject: OGE 278 Status

To: Joseph Goffman <[REDACTED]>

Ex. 6 Personal Privacy (PP)

Hi Joe,

I heard from OGE late yesterday that they sent their first round of questions/comments to EPA yesterday. So, I'm optimistic you'll hear from Victoria on Monday or Tuesday.

Thank you again for our conversation yesterday evening. I really appreciated your insights and your support.

-Jeanne

Jeanne Duross (she/her)

Senior Ethics Counsel <[REDACTED]>

Ex. 6 Personal Privacy (PP)

The White House | Office of Presidential Personnel

Message

From: Ex. 6 Personal Privacy (PP)
Sent: 9/28/2021 3:56:22 PM
To: 'Joseph Goffman'; Ex. 6 Personal Privacy (PP); Griffo, Shannon
[Griffo.Shannon@epa.gov]; Ex. 6 Personal Privacy (PP)
Subject: RE: OGE 278 -- Office of Government Ethics Followup Questionnaire

Hi Joe,

Ex. 6 Personal Privacy (PP)

Let me know if you have any questions.

All best,

Ex. 6 Personal Privacy (PP)

From: Joseph Goffman; Ex. 6 Personal Privacy (PP)
Sent: Monday, September 27, 2021 8:02 PM
To: Ex. 6 Personal Privacy (PP)
griffo.shannon@epa.gov; Ex. 6 Personal Privacy (PP)
Subject: OGE 278 -- Office of Government Ethics Followup Questionnaire

Hi, Ex. 6 Personal Privacy (PP)

For Ex. 6 Personal Privacy (PP) there is no rest for the weary. The Office of Government Ethics has followed up the OGE 278 filing with 6 pages of questions. I have attached the document they sent. You will see that most of the answers have been filled in. There are, however, a handful that have been highlighted in yellow, which I think Ex. 6 Personal Privacy (PP) assisted by Ex. 6 Personal Privacy (PP) should be able to provide the information.

Ex. 6 Personal Privacy (PP) -- you'll see that one of the questions asks about Ex. 6 Personal Privacy (PP). I've attempted to provide the information about them, but I believe that it would be extremely helpful if you would take a look to see if I've got it right.

Ex. 6 Personal Privacy (PP) - Shannon Griffo is the ethics attorney in the EPA Office of General Counsel who is handling this review and interacting with counterparts in the Office of Government Ethics and should be kept fully in the loop. Please "reply all" with any information or questions you may have since that may be the most

efficient way to get some of these issues resolved. For example, you will see a reference to the reporting period for some of the information covering the period between January 1, 2020 and the present. If you have questions about what that means beyond the note I inserted next to that question, Shannon should be able to answer directly.

Shannon has also volunteered to hold the pen on any changes that need to be made to the 278, so that neither you Ex. 6 Personal Privacy (PP) nor I have to. She has her own access to the file.

Ex. 6 Personal Privacy (PP)

Finally, the Office of Government Ethics is a harsh taskmaster: we need to get the questionnaire back to them by COB Thursday if at all humanly possible (and notwithstanding that that is the end of the fiscal year. Yikes.)

Thank you all for your invaluable help on all this.

Best,
Joe

Message

From: Joseph Goffman [Ex. 6 Personal Privacy (PP)]
Sent: 10/3/2021 9:57:32 PM
To: Griffo, Shannon [Griffo.Shannon@epa.gov]
Subject: Fwd: [Ex. 6 Personal Privacy (PP)] Statements by Month
Attachments: [Ex. 6 Personal Privacy (PP)] 2021-04-Statement (1).pdf; [Ex. 6 Personal Privacy (PP)] 2021-03-Statement (1).pdf; [Ex. 6 Personal Privacy (PP)] 2021-04-Statement.pdf; [Ex. 6 Personal Privacy (PP)] 2021-03-Statement.pdf; [Ex. 6 Personal Privacy (PP)] 2021-05-Statement (1).pdf; [Ex. 6 Personal Privacy (PP)] 2021-06-Statement.pdf; [Ex. 6 Personal Privacy (PP)] 2021-05-Statement.pdf; [Ex. 6 Personal Privacy (PP)] 2021-07-Statement (1).pdf; [Ex. 6 Personal Privacy (PP)] 2021-07-Statement.pdf; [Ex. 6 Personal Privacy (PP)] 2021-08-Statement (1).pdf; [Ex. 6 Personal Privacy (PP)] 2021-08-Statement.pdf

HI, Shannon. Hope you are feeling better. It occurred to me that since [Ex. 6 Personal Privacy (PP)] sent along statements of account for my [Ex. 6 Personal Privacy (PP)] (on September 30) it might make sense to send you roughly corresponding documents for the [Ex. 6 Personal Privacy (PP)].
Thanks.

----- Forwarded message -----

From: Joseph Goffman <[Ex. 6 Personal Privacy (PP)]>
Date: Tue, Sep 21, 2021 at 5:11 PM
Subject: [Ex. 6 Personal Privacy (PP)] Statements by Month
To: [Ex. 6 Personal Privacy (PP)]

Only go back to March, but I think we filed a 278 T in February. Note that Jeanne Duross said something about "populating" the updated 278 "automatically" with the entries from the 278 already filed. Thanks.

Message

From: Joseph Goffman [Ex. 6 Personal Privacy (PP)]
Sent: 9/30/2021 7:57:02 PM
To: Griffo, Shannon [Griffo.Shannon@epa.gov]
Subject: Fwd: Benefits information for you
Attachments: health_welfare_spd_retirees - 2021.pdf; [Ex. 6 Personal Privacy (PP)]

Hi, Shannon. Please see below and attached the latest information I have about the retirement benefits I received as a result of my employment at Harvard. Thanks.

----- Forwarded message -----

From: [Ex. 6 Personal Privacy (PP)]
Date: Thu, Sep 30, 2021 at 9:45 AM
Subject: Benefits information for you
To: Joseph Goffman [Ex. 6 Personal Privacy (PP)]

Dear Joe,

I look forward to speaking with you later today, however in the meantime I thought you might need this information.

When you separated from Harvard in January, [Ex. 6 Personal Privacy (PP)]

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

I hope this is helpful- and I look forward to speaking with you soon.

Best,

[Ex. 6 Personal Privacy (PP)]

Ex. 6 Personal Privacy (PP)

Harvard will be conducting its 2022 Benefits Open Enrollment for active and retired employees between October 26th and November 4th.

Open Enrollment materials will be sent during the second week of October. Information can also be found at <https://hr.harvard.edu/open-enrollment-2022>.

Any 2021 FSA elections do not carry over to 2022. If you want to elect a 2022 Health Care FSA and/or a Dependent Care FSA, you must do so in PeopleSoft before November 4, 2021.

The information contained in this e-mail may be confidential and is intended solely for the use of the named addressee. Access, copying or re-use of the e-mail or any information contained therein by any other person is not authorized. If you are not the intended recipient, please notify us immediately by returning the e-mail to the originator.

Any information contained in this e-mail about Harvard University's benefit plans is intended to be accurate. The provisions of the benefit plan documents will govern to the extent there is any inconsistency between those documents and the information contained in this e-mail.



HARVARD
Human Resources

SUMMARY PLAN DESCRIPTION



Retiree Health and Welfare Plans

Effective January 1, 2021

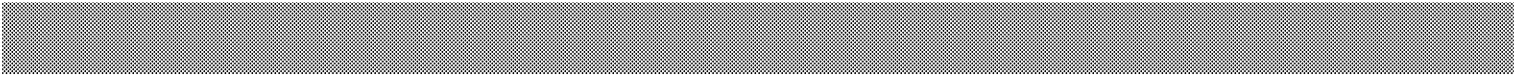
This guide presents basic information about all the retiree health and welfare benefits provided by Harvard University (“Harvard” or the “University”) under the Harvard University Flexible Benefits Plan (the “Plan”), as of January 2021, and your rights to benefits as a Plan participant. The Plan is maintained for you and your eligible dependents, as long as you meet the eligibility requirements.

This is the Summary Plan Description (SPD) for your benefits under the Plan. This SPD and any separate Plan documents provided to you by Harvard or any of Harvard’s insurance carriers and vendors are intended to comply with the disclosure requirements set forth in regulations issued by the U.S. Department of Labor under the Employee Retirement Income Security Act of 1974 (ERISA). Please refer to the applicable separate Plan documents for complete details on specific items such as benefits coverage, deductibles, copayments, definitions, coordination of benefits, waiting periods, exclusions, and limitations.

The SPD is based on a number of legal documents that may include policies, contracts, collective bargaining agreements, Plan documents, and trust agreements. Although the SPD is intended to be accurate, any differences between it and the legal documents will be governed by the legal documents.

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1. WHAT ARE MY BENEFITS?

1.1 Harvard Retiree Coverage

Retired faculty and staff members and their eligible spouses/domestic partners (at time of retirement) and/or dependents may be eligible for health care coverage, including medical, dental, and life insurance.

Eligibility for Medical, Dental, and Life Insurance Plans

Medical and Dental

You and your spouse/domestic partner at the time of your retirement and/or dependents are eligible for medical and dental benefits if you meet the eligibility criteria below.

Faculty, Administrative/Professional Staff, and Non-Union Support Staff Hired Prior to January 1, 2014, and ATC, HUCTW, HUPA, HUSPMGU, Local 26, SEIU Custodians Employees Hired Prior to January 1, 2016, and SEIU Arboretum Employees Hired prior to January 1, 2020:

- You are at least age 55.*
- You have at least 10 years of participation service.
- Your age plus years of participation service totals at least 75 years.

* If you have been continuously employed at Harvard since before January 1, 1986, you do not need to meet the age 55 minimum, as long as your age plus years of service equals at least 75 years.

Faculty, Administrative/Professional Staff, and Nonunion Support Staff Hired or Rehired on or after January 1, 2014, and ATC, HUCTW, HUPA, HUSPMGU, Local 26, SEIU Custodians Employees Hired or Rehired on or after January 1, 2016, and SEIU Arboretum Employees Hired or Rehired on or after January 1, 2020:

- You are at least age 60.
- You have at least 15 years of participation service.
- Your age plus years of participation service totals at least 75 years.

Life Insurance

Upon your retirement, your life insurance coverage will continue to be available to you until the June 30 following your 70th birthday if you satisfy at least one of the following conditions at the time you separate from the University:

- You meet the medical and dental eligibility rules outlined above
- You are at least age 65

If you retire as a faculty member or a non-hourly staff employee, your life insurance* coverage amount will be reduced by 35% effective on the July 1 following your 66th birthday. If you retire on or after this date, your coverage will be reduced at the time of your retirement.

If you retire as an hourly employee, your life insurance* coverage amount will be reduced by 35% effective on the July 1 after your 65th birthday. If you retire on or after this date, your coverage will be reduced at the time of your retirement.

* Retiree Basic Life Insurance coverage is capped at \$50,000. If your coverage exceeded \$50,000, you will have the option to port or convert the reduction amount.

Coverage for all retirees ends on the July 1 following their 70th birthday. If you retire on or after this date, your coverage will end at the time of your retirement. When your insurance is reduced or terminated, you may continue coverage with one of two options:

- Portability—With this option, you are continuing your life insurance coverage as an individual term life policy through MetLife.
- Conversion—With this option, you are converting your life insurance from a term life policy to an individual whole life policy through MetLife.

Contact MetLife at 888-252-3607 for information on porting your coverage. Contact MassMutual at 877-275-6387 for information on converting your coverage. (MetLife has arranged for financial professionals from MassMutual to help explain your conversion options since MetLife cannot provide you with individual guidance.)

If you are not eligible for retiree life insurance coverage, you have 31 days from your last day of employment to port or convert your University group Basic and/or Contributory Life Insurance coverage to individual coverage with MetLife, if you are eligible for such an individual policy. You will receive portability and conversion information soon after your retirement.

Enrollment

You should arrange to meet with a Harvard benefits consultant at least three months before your retirement date. You have a choice of medical plans after retirement, provided you meet the eligibility requirements.

Retiree Medical

As an eligible retiree or an eligible dependent of a retiree, you have several post-retirement medical plan options. Your coverage options depend on your age. The cost of your coverage depends on the date you retire from Harvard, the plan you are enrolled in, and your years of pension participation service.

Coverage

Eligible retirees can elect or drop coverage during the annual Open Enrollment period or as a result of an IRS-defined change in status. Contact the Benefits Office if you have questions on this provision.

If you elect family coverage at retirement, you may only cover yourself, the person who was your spouse or domestic partner at the time of your retirement, and eligible dependent children. **Please note:** Eligible dependents cannot be enrolled in coverage unless the retiree is also enrolled.

1.2 Retirees under Age 65

Cost of Medical Coverage

The cost of coverage is based on the date you retire from Harvard, your years of pension participation service, your hire date, and your employee classification at the time you retire. IRS regulations require that retirees who cover a registered domestic partner or ex-spouse* under retiree medical plans are subject to the same imputed income rules as active employees. If your domestic partner or ex-spouse* is enrolled in your retiree medical coverage, you will be directly billed for the imputed income. You will be billed for your retiree benefits by BSL.

* Your ex-spouse is eligible to remain on your coverage if they were your spouse at the time of your retirement.

Retired Faculty, Administrative/Professional Staff, and Nonunion Support Staff

You may choose from the plans offered to active employees. If you were continuously employed prior to January 1, 2014, you will pay the same rate as active employees based on your salary tier at the time of retirement. If you were hired or rehired on or after January 1, 2014, the amount you pay is based on your years of service.

If you worked a certain number of full years and fewer than six months, the months are dropped, and the University's contribution is based on the full years only. If you worked a number of full years and six months or more, the number of months is rounded up, and the University's contribution reflects the additional year.

If you are not eligible for Harvard medical coverage at retirement, you may have the option of continuing Harvard coverage through COBRA. For details, see Section 6.1, "Continuation of Health Care Benefits—COBRA."

Staff Covered by a Collective Bargaining Agreement

SEIU Arboretum retirees and eligible dependents **under age 65** hired before January 1, 2020 will pay the same rate as active employees, based on their salary tier at the time of retirement. ATC, HUCTW, HUPA, HUSPMGU, Local 26, and SEIU Custodians retirees hired before January 1, 2016, will pay the same rate as active employees, based on your salary tier at the time of retirement. For SEIU Arboretum employees hired or rehired on or after January 1, 2020 and other union employees hired or rehired on or after January 1, 2016, rates are based on years of service.

If you worked a certain number of full years and less than six months, the months are dropped and the University's contribution is based on the full years only. If you worked a number of full years and six months or more, the number of months is rounded up, and the University's contribution reflects the additional year.

If you are not eligible for Harvard medical coverage at retirement, you may have the option of continuing Harvard coverage through COBRA. For details, see Section 6.1, "Continuation of Health Care Benefits—COBRA."

Medical Plan Options for Retirees under Age 65

If you retire before age 65, you are offered the same medical plans that are available to active employees in your employee classification, and you share in the cost of the coverage.

Faculty and nonunion staff; HUCTW members who retired prior to July 5, 2011; and other union members who retired prior to September 4, 2014, have a choice between three types of medical plan options through Harvard University Group Health Plan (HUGHP) and Blue Cross Blue Shield of MA (BCBSMA):

1. Health Maintenance Organization (HMO)
2. Point of Service (POS)
3. High Deductible Health Plan (HDHP) (Offered through BCBS only)

Members of HUCTW who retired on or after July 5, 2011, and members of ATC, Local 26, HUPA, HUSPMGU, or SEIU who retired on or after September 4, 2014, have a choice between two types of medical plan options through HUGHP and BCBSMA:

1. HMO
2. POS

Members of Dumbarton Oaks and the Center for Hellenic Studies have a choice between the following medical plan options through Kaiser Permanente or CareFirst:

1. HMO
2. Preferred Provider Organization (PPO)

If you are a retiree under age 65 and you reside outside Massachusetts, you also have the choice of a Preferred Provider Organization (PPO) through BCBSMA.

If your spouse/domestic partner and/or a dependent is also under age 65, you remain in the Harvard medical plan under one of the family coverage levels.

Within three months of reaching age 65, you (or your spouse/domestic partner) should apply for Medicare Parts A and B. At the same time, Harvard will send you a letter requesting a copy of your Medicare card and asking you to select a senior medical plan. The letter contains information to assist you with your selection; additional information is available by contacting the Benefits Office at 617-496-4001.

Prescription Drug Coverage

Prescription drug coverage is included with your enrollment in a Harvard-sponsored medical plan. It is administered by Express Scripts, a pharmacy benefits manager.

Prescription copayment assistance is available and administered by PillarRx for certain specialty medications filled through one of Harvard's under 65 retiree plans. If you are prescribed an eligible medication, you will be contacted by PillarRx to facilitate enrollment in the manufacturer programs. Manufacturer assistance dollars will not accumulate toward deductibles and/or out-of-pocket maximums. To use the program, you must engage with PillarRx to enroll. For more details, please visit hr.harvard.edu/medical.

The following is a brief summary of the medical and prescription drug coverage. For more detailed information, refer to the Plan documents or contact the Plan Administrator.

HMO and POS (PPO*)—Faculty and Nonunion Staff, HUCTW Members Who Retired Prior to 7/5/2011, and Other Union Members Who Retired Prior to 9/4/2014

Coverage for Eligible Expenses	In-Network (Authorized)	Out-of-Network (Unauthorized)	
	HMO and POS (PPO*)	HMO	POS (PPO*)
Deductible	\$250 per individual/ \$750 family maximum	N/A	\$750 per individual/ \$2,500 family maximum
Out-of-Pocket Maximum (OOP) (includes deductible and medical and prescription costs)	\$1,500 individual/ \$4,500 family	N/A	\$2,500 individual/ \$7,500 family
Coinsurance after Deductible	10% paid by you/ 90% paid by Harvard	N/A	30% paid by you/ 70% paid by Harvard
Preventive Care	Covered at 100% (deductible does not apply)	No coverage	Deductible, then coinsurance
Office Visits			
Primary Care and Specialist	\$30 copayment (deductible does not apply)	No coverage	Deductible, then coinsurance
Behavioral Health	\$30 copayment (deductible does not apply)	No coverage	20% coinsurance (no deductible)
Emergency Room	\$100 copayment (deductible does not apply)		
Hospital Admission (includes medical and behavioral health)	Deductible, then coinsurance	No coverage	Deductible, then coinsurance
Outpatient Diagnostic Labs/X-Rays	Covered at 100%	No coverage	Deductible, then coinsurance
High-Tech Imaging	Deductible, then coinsurance	No coverage	Deductible, then coinsurance
Outpatient Surgery	Deductible, then coinsurance	No coverage	Deductible, then coinsurance
Maternity			
Routine Prenatal Care	Covered at 100%	No coverage	Deductible, then coinsurance
Inpatient Hospital	Deductible, then coinsurance	No coverage	Deductible, then coinsurance
Prescription Drugs			
Retail (up to 30-day supply)	\$7 generic; \$20 preferred brand; \$45 non-preferred brand	No coverage	Member must submit receipt and will be reimbursed at discounted network rate minus applicable copayment for 30-day prescriptions at in-network cost. N/A
Mail Order (up to 90-day supply)	\$14 generic; \$50 preferred brand; \$110 non-preferred brand	N/A	
Coverage after You Reach Your OOP	100% of eligible in-network expenses paid by Harvard	N/A	100% of eligible out-of-network expenses paid by Harvard

* Only available through BCBSMA for employees who reside outside New England.

For more information, visit hr.harvard.edu.

POS Plus (PPO Plus*) Plan—Faculty and Nonunion Staff, HUCTW Members Who Retired Prior to 7/5/2011, and Other Union Members Who Retired Prior to 9/4/2014

Coverage for Eligible Expenses	In-Network	Out-of-Network
	POS Plus (PPO Plus*) Plan	
Deductible	None	\$750 per individual/\$2,500 per family maximum
Out-of-Pocket Maximum (OOP) (includes deductible and medical and prescription costs)	\$2,000 individual/\$6,000 family	\$2,500 individual/\$7,500 family
Coinsurance after Deductible	N/A	30% paid by you/70% paid by Harvard
Office Visits		
Primary Care and Specialist	\$30 copayment	Deductible, then coinsurance
Behavioral Health	\$30 copayment	20% coinsurance, no deductible
Emergency Room	\$100 copayment	\$100 copayment
Hospital Admission (includes medical and behavioral health)	Fully covered	Deductible, then coinsurance
Diagnostic Testing	Fully covered	Deductible, then coinsurance
Outpatient Surgery	Fully covered	Deductible, then coinsurance
Maternity		
Routine Pregnancy Care	Fully covered	Deductible, then coinsurance
Inpatient Hospital	Fully covered	Deductible, then coinsurance
Prescription Drug		
Retail (up to 30-day supply)	\$7 generic; \$20 preferred brand; \$45 non-preferred brand	Member must submit receipt and will be reimbursed at discounted network rate minus applicable copayment for 30-day prescriptions at in-network cost.
Mail Order (up to 90-day supply)	\$14 generic; \$50 preferred brand; \$110 non-preferred brand	
Coverage after You Reach Your OOP	100% of eligible in-network expenses paid by Harvard	100% of eligible out-of-network expenses paid by Harvard

* Only available through BCBSMA for employees who reside outside New England.

HDHP—Faculty and Nonunion Staff, HUCTW Members Who Retired Prior to 7/5/2011, and Other Union Members Who Retired Prior to 9/4/2014

Coverage for Eligible Expenses	In-Network	Out-of-Network
	HDHP	
Deductible	\$1,500 individual/\$3,000 family In-network and out-of-network costs will be combined to satisfy the deductible.	
Out-of-Pocket Maximum (OOP) (includes deductible)	\$3,000 individual/\$6,000 family	\$6,000 individual/\$12,000 family
Coinsurance after Deductible	15% paid by you/85% paid by Harvard	35% paid by you/65% paid by Harvard
Preventive Care	Covered at 100% (deductible does not apply)	Deductible, then coinsurance
Office Visits		
Primary Care and Specialist	Deductible, then coinsurance	Deductible, then coinsurance
Behavioral Health	Deductible, then coinsurance	Deductible, then coinsurance
Emergency Room	Deductible, then coinsurance	Deductible, then 15% coinsurance
Hospital Admission (includes medical and behavioral health)	Deductible, then coinsurance	Deductible, then coinsurance
Diagnostic Testing	Deductible, then coinsurance	Deductible, then coinsurance
Outpatient Surgery	Deductible, then coinsurance	Deductible, then coinsurance
Maternity		
Routine Prenatal Care	Covered at 100% (deductible does not apply)	Deductible, then coinsurance
Inpatient Hospital	Deductible, then coinsurance	Deductible, then coinsurance
Prescription Drugs		
Retail (up to 30-day supply)	Deductible, then \$7 generic; \$20 preferred brand; \$45 non-preferred brand	Member must submit receipt and will be reimbursed at discounted rate minus the applicable copayment for 30-day prescriptions at in-network cost
Mail Order (up to 90 day supply)	Deductible, then \$14 generic; \$50 preferred brand; \$110 non-preferred brand	N/A
Coverage after You Reach Your OOP	100% of eligible in-network expenses paid by Harvard	100% of eligible out-of-network expenses paid by Harvard

Union Employees Covered by HUCTW Who Retired on or after 7/5/2011, Members of ATC, HUPA, HUSPMGU, Local 26, and SEIU Who Retired on or after 9/4/2014 (Excluding Dumbarton Oaks)

Coverage for Eligible Expenses	In-Network (Authorized)	Out-of-Network (Unauthorized)	
	HMO and POS (PPO*)	HMO	POS (PPO*)
Deductible	N/A	N/A	\$750 individual/ \$2,500 family
Out-of-Pocket Maximum (OOP)			
Medical Only	\$2,000 individual/ \$6,000 family	N/A	\$2,500 individual/ \$7,500 family
Prescription Only	\$4,600 individual/ \$7,200 family	N/A	Medical and prescription combined
Coinsurance after Deductible	N/A	N/A	30% paid by you/ 70% paid by Harvard
Preventive Care	Covered at 100%	No coverage	Deductible, then coinsurance
Office Visits			
Primary Care and Specialist	\$25 copayment	No coverage	Deductible, then coinsurance
Behavioral Health	\$25 copayment	No coverage	20% coinsurance (deductible does not apply)
Emergency Room	\$100 copayment, waived if admitted		
Hospital Admission (includes medical and behavioral health)	\$100 copayment	No coverage	Deductible, then coinsurance
Outpatient Diagnostic Labs/X-Rays	Covered at 100%	No coverage	Deductible, then coinsurance
High-Tech Imaging	\$50 copayment	No coverage	Deductible, then coinsurance
Outpatient Surgery	\$20 copayment	No coverage	Deductible, then coinsurance
Maternity			
Routine Prenatal Care	Covered at 100%	No coverage	Deductible, then coinsurance
Inpatient Hospital	\$100 copayment	No coverage	Deductible, then coinsurance
Prescription Drugs			
Retail (up to 30-day supply)	\$7 generic; \$20 preferred brand; \$45 non-preferred brand	No coverage	Member must submit receipt and will be reimbursed at discounted network rate minus applicable copayment for 30-day prescriptions at in-network cost. N/A
Mail Order (up to 90-day supply)	\$14 generic; \$50 preferred brand; \$110 non-preferred brand	N/A	
Coverage after You Reach Your OOP	100% of eligible in-network expenses paid by Harvard	N/A	100% of eligible out-of-network expenses paid by Harvard

* Only available through BCBSMA for employees who reside outside New England.

Dumbarton Oaks and the Center for Hellenic Studies Employees (Includes HUCTW Members at Dumbarton Oaks)

Coverage for Eligible Expenses	Kaiser Permanente HMO Select	CareFirst BlueChoice HMO Open Access
Deductible	\$0	\$0
Out-of-Pocket Maximum (OOP) (includes deductible where applicable)	\$3,500 individual/\$9,400 family	Medical only: \$1,300 individual/ \$2,600 family Prescription only: \$4,500 individual/ \$9,000 family
Coinsurance after Deductible	N/A	N/A
Preventive Care	Covered at 100%	Covered at 100%
Office Visits Primary Care Specialist Behavioral Health	\$10 copayment \$20 copayment \$10 copayment/individual; \$5 copayment/group	\$10 copayment \$20 copayment Covered at 100%
Emergency Room	\$50 copayment	\$50 copayment
Hospital Admission (includes medical and behavioral health)	Covered at 100%	Covered at 100%
Diagnostic Testing X-Rays, Blood Work CT/PET Scans, MRIs	Covered at 100% \$50 copayment	Covered at 100% Covered at 100%
Outpatient Surgery	\$50 copayment	\$20 copayment
Maternity Routine Prenatal Care Inpatient Hospital	Covered at 100% Covered at 100%	Covered at 100% Covered at 100%
Prescription Drugs Retail Plan Pharmacy (up to 30-day supply) Retail Network (up to 30-day supply) Mail Order	\$10 generic; \$20 preferred brand; \$35 non-preferred brand \$20 generic; \$35 preferred brand; \$50 non-preferred brand Up to a 90-day supply for two copayments	Preferred preventive drugs covered at 100% N/A Up to a 34-day supply: \$10 generic; \$25 preferred brand; \$45 non-preferred brand Up to a 90-day supply: \$20 generic; \$50 preferred brand; \$90 non-preferred brand
Coverage after You Reach Your OOP	100% of eligible in-network expenses paid by plan	100% of eligible in-network expenses paid by plan

Dumbarton Oaks and the Center for Hellenic Studies Employees (Includes HUCTW Members at Dumbarton Oaks), cont.

Coverage for Eligible Expenses	CareFirst BlueChoice HMO Opt-Out + Open Access		CareFirst BluePreferred PPO	
	In-Network	Out-of-Network	In-Network	Out-of-Network
Deductible	N/A	\$300 individual/\$600 family	N/A	\$300 individual/\$600 family
Out-of-Pocket Maximum (OOP) (includes deductible where applicable)	For medical only: \$1,300 individual/ \$2,600 family For prescription only: \$4,500 individual/ \$9,000 family	For medical only: \$2,000 individual/\$4,000 family For prescription only: \$4,500 individual/ \$9,000 family	For medical only: \$1,000 individual/ \$2,000 family For prescription only: \$4,500 individual/ \$9,000 family	For medical only: \$2,000 individual/\$4,000 family For prescription only: \$4,500 individual/ \$9,000 family
Coinsurance after Deductible	N/A	20% paid by you/ 80% paid by plan	N/A	20% paid by you/ 80% paid by plan
Preventive Care	Covered at 100%	Deductible, then coinsurance	Covered at 100%	Deductible, then coinsurance
Office Visits				
Primary Care	\$10 copayment	Deductible, then coinsurance	\$10 copayment	Deductible, then coinsurance
Specialist	\$20 copayment	Deductible, then coinsurance	\$10 copayment	Deductible, then coinsurance
Behavioral Health	Covered at 100%	Deductible, then coinsurance	Covered at 100%	Deductible, then coinsurance
Emergency Room	\$50 copayment		\$50 copayment	
Hospital Admission (includes medical and behavioral health)	Covered at 100%	Deductible, then coinsurance	Covered at 100%	Deductible, then coinsurance
Diagnostic Testing				
X-Rays, Blood Work	Covered at 100%	Deductible, then coinsurance	Covered at 100%	Deductible, then coinsurance
CT/PET Scans, MRIs	Covered at 100%	Deductible, then coinsurance	Covered at 100%	Deductible, then coinsurance
Outpatient Surgery	Primary care provider: \$10 copayment Specialist: \$20 copayment	Deductible, then coinsurance	Covered at 100%	Deductible, then coinsurance
Maternity				
Routine Prenatal Care	Covered at 100%	Deductible, then coinsurance	Covered at 100%	Deductible, then coinsurance
Inpatient Hospital	Covered at 100%	Deductible, then coinsurance	Covered at 100%	Deductible, then coinsurance
Prescription Drugs				
Retail Plan Pharmacy (up to 30-day supply)	Preferred preventive drugs covered at 100%		Preferred preventive drugs covered at 100%	
Retail Network (up to 30-day supply)	Up to a 34-day supply: \$10 generic; \$25 preferred brand; \$45 non-preferred brand		Up to a 34-day supply: \$10 generic; \$25 preferred brand; \$45 non-preferred brand	
Mail Order	Up to a 90-day supply: \$20 generic; \$50 preferred brand; \$90 non-preferred brand		Up to a 90-day supply: \$20 generic; \$50 preferred brand; \$90 non-preferred brand	
Coverage after You Reach Your OOP	100% of eligible in-network expenses paid by plan	100% of eligible out-of-network expenses paid by plan	100% of eligible in-network expenses paid by plan	100% of eligible out-of-network expenses paid by plan

1.3 Retirees over Age 65

Cost of Medical Coverage

The cost of coverage is based on the date you retire from Harvard, your years of pension participation service, and your employee classification at the time you retire. If you are receiving a pension payment from Harvard, your premiums will be deducted from your monthly pension payment. If you are not receiving a pension payment from Harvard, or your payment cannot support the premiums, you will be billed for your retiree benefits by BSL. IRS regulations require that retirees who cover a registered domestic partner or ex-spouse* under retiree medical plans are subject to the same imputed income rules as active employees. If your domestic partner or ex-spouse* is enrolled in your retiree medical coverage, you will be directly billed for the imputed income.

* Your ex-spouse is eligible to remain on your coverage if they were your spouse at the time of your retirement.

Retired Faculty, Administrative/Professional Staff, and Nonunion Support Staff Age 65 and Older and Hired Prior to January 1, 2014

If you retired before January 1, 1996, you and any eligible dependents over age 65 have no monthly premium for medical coverage.

If you retired on or after January 1, 1996, the University contributes a percentage of the group Medex rate and applies that dollar amount to the plan you choose. The University's contribution percentage is based on your years of participation service, with the subsidy rate as follows:

If You Meet Eligibility Requirements for Post-Retirement Medical	The University Contributes	Years of Service Required to Receive the Maximum Subsidy
by December 31, 2018 (and have no breaks in service after December 31, 2013)	50% to 80% of the cost of Medex toward coverage for you and your eligible spouse/domestic partner and/or eligible dependent children	20 years of service
between January 1, 2019, and December 31, 2023 (and have no breaks in service after December 31, 2013)	40% to 70% of the cost of Medex toward coverage for you and your eligible spouse/domestic partner and/or eligible dependent children	20 years of service
after January 1, 2024 (and have no breaks in service after December 31, 2013)	40% to 70% of the cost of Medex toward coverage for you and your eligible spouse/domestic partner and/or eligible dependent children	30 years of service

Faculty, Administrative/Professional Staff, and Nonunion Support Staff Hired or Rehired on or after January 1, 2014

The University contributes 40% to 70% of the cost of Medex toward coverage for you and your eligible spouse/domestic partner and/or eligible dependent children. You will receive the maximum subsidy with 30 years of participation service. Beginning in 2020, the University's subsidy amount will be capped at a 3% increase per year.

Faculty, administrative/professional staff, and nonunion support staff who leave Harvard before attaining post-retirement eligibility and subsequently become reemployed at the University will be credited with service earned before leaving but will be covered under the rules for those hired or rehired on or after January 1, 2014.

For more information, visit hr.harvard.edu.

Staff Covered by a Collective Bargaining Agreement

If you retired before January 1, 1996, you and any eligible dependents over age 65 have no monthly premium for medical coverage.

If you retired on or after January 1, 1996, the University contributes a percentage of the group Medex rate and applies that dollar amount to the plan you choose. The University's contribution percentage is based on your years of participation service, with the subsidy rate as follows:

ATC, HUCTW, HUPA, HUSPMGU, Local 26, and SEIU Custodians Members Hired Prior to January 1, 2016

If you meet eligibility requirements for post-retirement medical	The University contributes	Years of service required to receive the maximum subsidy
by December 31, 2020 (and have no breaks in service after December 31, 2015)	50% to 80% of the cost of Medex toward coverage for you and your eligible spouse/domestic partner and/or eligible dependent children	20 years of service
between January 1, 2021, and December 31, 2025 (and have no breaks in service after December 31, 2015)	40% to 70% of the cost of Medex toward coverage for you and your eligible spouse/domestic partner and/or eligible dependent children	20 years of service
after January 1, 2026 (and have no breaks in service after December 31, 2015)	40% to 70% of the cost of Medex toward coverage for you and your eligible spouse/domestic partner and/or eligible dependent children	30 years of service

SEIU Arboretum Members

If you meet eligibility requirements for post-retirement medical	The University contributes	Years of service required to receive the maximum subsidy
by December 31, 2024 (and have no breaks in service after December 31, 2019)	50% to 80% of the cost of Medex toward coverage for you and your eligible spouse/domestic partner and/or eligible dependent children	20 years of service
between January 1, 2025 and December 31, 2030 (and have no breaks in service after December 31, 2019)	40% to 70% of the cost of Medex toward coverage for you and your eligible spouse/domestic partner and/or eligible dependent children	20 years of service
after January 1, 2031 (and have no breaks in service after December 31, 2019)	40% to 70% of the cost of Medex toward coverage for you and your eligible spouse/domestic partner and/or eligible dependent children	30 years of service

ATC, HUCTW, HUPA, HUSPMGU, Local 26, and SEIU Custodian Unions Hired or Rehired on or After January 1, 2016; and SEIU Arboretum Staff Hired or Rehired on or after January 1, 2020

The University contributes 40% to 70% of the cost of Medex toward coverage for you and your eligible spouse/domestic partner and/or eligible dependent children. You will receive the maximum subsidy with 30 years of participation service. Beginning in 2020, the University's subsidy amount will be capped at a 3% increase per year.

Medical Plan Options for Retirees Age 65 and Older

There are three plans available to retirees and spouses/domestic partners age 65 and older:

1. Blue Cross Blue Shield Medex
2. Harvard Pilgrim Health Care (HPHC) Medicare Enhance
3. Tufts Health Plan Medicare Preferred HMO

Retirees of Dumbarton Oaks and the Center for Hellenic Studies age 65 and older also have the option of Kaiser Permanente Medicare Plus (Cost). For information about this plan, please contact Human Resources at Dumbarton Oaks or the Center for Hellenic Studies.

Prescription Drug Coverage

Your prescription drug benefit is included as part of your medical plan premium and is administered by Express Scripts, a pharmacy benefits manager. Upon initial enrollment in a Harvard-sponsored retiree medical plan, you will receive instructions for accessing prescription drug services. Prescription drug coverage has three copayment tiers, with most generic medications having the lowest copayment.

The prescription drug coverage is a Medicare Part D plan. If you enroll in another Medicare Part D plan, your enrollment in Harvard's retiree medical coverage will end.

For Retired Faculty, Nonunion Staff, and HUCTW and Local 26 Members Who Retired Prior to 7/5/11; and ATC, HUPA, HUSPMGU, and SEIU Members

You must be enrolled in Medicare Parts A and B. The benefits described below include coverage through Medicare.

Be sure to check the service area of the medical insurance provider you are interested in to ensure you are eligible to participate.

Medical Plan Coverage	BCBS Medex 800-882-1093 bcbsma.com	HPHC/Medicare Enhance 877-679-5667 harvardpilgrim.org	Tufts Health Plan Medicare Preferred HMO 800-936-1902 tuftshealthplan.com
Service Area	You can see any physician who accepts Medicare.	You can see any physician who accepts Medicare.	You must live in the Tufts Medicare Preferred HMO service area and select a primary care provider (PCP) from the network. Contact Tufts for the complete service area and a list of PCPs.
Annual Deductible	\$250 deductible	None	None
Medical Out-of-Pocket Maximum	\$1,000 per calendar year	None	\$3,400
Hospital Inpatient Care			
Semi-private room and hospital services and supplies when medically necessary	Coverage coordinated with Medicare benefits; please refer to the BCBS Medex Summary of Benefits for details.	Covered at 100% per benefit period	Covered in full after one \$200 deductible per year
Out-of-Hospital Care			
Physician's Services	Deductible, then 20% coinsurance	\$15 copayment per visit	\$10 copayment per visit for PCP; \$15 copayment for specialist
Diagnostic, Lab, and X-Ray Tests	Deductible, then 20% coinsurance	Covered in full	Covered in full
Preventive Health Care			
Routine Physical Exams	Coverage coordinated with Medicare benefits	\$15 copayment	Covered in full
Routine Hearing Exams	Coverage coordinated with Medicare benefits	\$15 copayment	\$15 copayment
Immunizations	Coverage coordinated with Medicare benefits	Covered in full	Covered in full
Routine Pap Smears and Mammograms (test only, not related services)	Coverage coordinated with Medicare benefits	Covered in full	Covered in full

Medical Plan Coverage	BCBS Medex 800-882-1093 bcbsma.com	HPHC/Medicare Enhance 877-679-5667 harvardpilgrim.org	Tufts Health Plan Medicare Preferred HMO 800-936-1902 tuftshealthplan.com
Prescription Drugs			
Administered through Express Scripts for all medical plans. Retail: May purchase up to a 90-day supply at retail; copayments apply for each 30-day supply Mail Order through Express Scripts (saves over retail cost): Call 866-544-2895 for information on mail order.	At a participating pharmacy for 30-day supply: \$7 copayment for generic \$25 copayment for preferred brand \$50 copayment for non-preferred brand Through Express Scripts mail order for 90-day supply: \$14 copayment for generic \$50 copayment for preferred brand \$100 copayment for non-preferred brand	At a participating pharmacy for 30-day supply: \$10 copayment for generic \$25 copayment for preferred brand \$50 copayment for non-preferred brand Through Express Scripts mail order for 90-day supply: \$20 copayment for generic \$50 copayment for preferred brand \$100 copayment for non-preferred brand	At a participating pharmacy for 30-day supply: \$10 copayment for generic \$25 copayment for preferred brand \$50 copayment for non-preferred brand Through Express Scripts mail order for 90-day supply: \$20 copayment for generic \$50 copayment for preferred brand \$100 copayment for non-preferred brand
Prescription Out-of-Pocket Maximum	\$1,250 per calendar year	None	None
Emergency Services			
Hospital Emergency Room and Outside of HMO Service Area Note: Whenever possible, notify your plan of any medical emergency within 48 hours.	Deductible, then 20% coinsurance	\$50 copayment (waived if hospitalized)	\$50 copayment (waived if hospitalized)
Harvard University Health Services (HUHS)			
HUHS	HUHS available to participants. Member will be billed for services not covered in full by Medicare and BCBS Medex.	HUHS available to participants.	HUHS not available to participants.
Mental Health Services			
Outpatient Care Office Visits	Deductible, then 20% coinsurance	Biologically based: \$15 copayment for each individual/group therapy visit; unlimited visits Other: \$15 copayment after Medicare coverage is exhausted, up to 24 visits	\$15 copayment per visit; unlimited visits
Psychiatric Hospital	Deductible, then 20% coinsurance	Biologically based covered at 100% Same benefits as acute inpatient hospital care Other: Covered at 100% up to 60 days per calendar year	Covered in full up to Medicare's lifetime limit of 190 days

Medical Plan Coverage	BCBS Medex 800-882-1093 bcbsma.com	HPHC/Medicare Enhance 877-679-5667 harvardpilgrim.org	Tufts Health Plan Medicare Preferred HMO 800-936-1902 tuftshealthplan.com
Ambulance Service			
Ambulance Service	Deductible, then 20% coinsurance if Medicare determines services are medically necessary	Covered in full for Medicare-covered ambulance services	Covered in full for Medicare-covered ambulance services
Home Health Care			
Medically Necessary Home Health Services	Deductible, then 20% coinsurance; you pay all charges for home services not covered by Medicare.	Covered in full when medically necessary	Covered in full when medically necessary
Skilled Nursing Care Facility			
Semi-private room and necessary services in a Medicare-approved nursing facility	Deductible, then 20% coinsurance	Covered in full up to 100 days per benefit period	Covered in full up to 100 days per benefit period
Durable Medical Equipment			
Prosthetic Devices	Deductible, then 20% coinsurance	Covered in full when medically necessary	Covered in full when medically necessary
Vision Care			
Annual Eye Exams for Glasses	Coverage coordinated with Medicare	\$15 copayment	\$15 copayment
Eyeglasses	Coverage coordinated with Medicare	Up to \$200 toward eyewear every 24 months	Coverage for eyewear up to \$150 per member at EyeMed provider; up to \$90 at any other eyewear provider per calendar year

For Retired Members of HUCTW and Local 26 Who Retired on or after 7/5/2011

You must be enrolled in Medicare Parts A and B. The benefits described below include coverage through Medicare.

Be sure to check the service area of the medical insurance provider you are interested in to ensure you are eligible to participate.

Medical Plan Coverage	BCBS Medex 800-882-1093 bcbsma.com	HPHC/Medicare Enhance 877-679-5667 harvardpilgrim.org	Tufts Health Plan Medicare Preferred HMO 800-936-1902 tuftshealthplan.com
Service Area	You can see any physician who accepts Medicare.	You can see any physician who accepts Medicare.	You must live in the Tufts Medicare Preferred HMO service area and select a primary care provider (PCP) from the network. Contact Tufts for the complete service area and a list of PCPs.
Annual Deductible	\$250	None	None
Out-of-Pocket Maximum (for medical only, does not apply to prescription benefit)	\$1,000 per calendar year	None	\$3,400
Hospital Inpatient Care			
Semi-private room and hospital services and supplies when medically necessary	Coverage coordinated with Medicare benefits; please refer to the BCBS Medex Summary of Benefits for details.	Covered at 100% per benefit period	Covered in full after one \$200 deductible per year
Out-of-Hospital Care			
Physician's Services	Deductible, then 20% coinsurance	\$15 copayment per visit	\$10 copayment per visit for PCP; \$15 copayment for specialist
Diagnostic, Lab, and X-Ray Tests	Deductible, then 20% coinsurance	Covered in full	Covered in full
Preventive Health Care			
Routine Physical Exams	Coverage coordinated with Medicare benefits	\$15 copayment	Covered in full
Routine Hearing Exams	Coverage coordinated with Medicare benefits	\$15 copayment	\$15 copayment
Immunizations	Coverage coordinated with Medicare benefits	Covered in full	Covered in full
Routine Pap Smears and Mammograms (test only, not related services)	Coverage coordinated with Medicare benefits	Covered in full	Covered in full

Medical Plan Coverage	BCBS Medex 800-882-1093 bcbsma.com	HPHC/Medicare Enhance 877-679-5667 harvardpilgrim.org	Tufts Health Plan Medicare Preferred HMO 800-936-1902 tuftshealthplan.com
Prescription Drugs			
Administered through Express Scripts for all medical plans. Retail: May purchase up to a 90-day supply at retail; copayments apply for each 30-day supply Copayment for up to a 90-day supply by mail order through Express Scripts (saves over retail cost). Call 877-787-8684 for information on mail order.	At a participating pharmacy for 30-day supply: \$7 copayment for generic \$25 copayment for preferred brand \$50 copayment for non-preferred brand Through Express Scripts mail order for 90-day supply: \$14 copayment for generic \$50 copayment for preferred brand \$100 copayment for non-preferred brand	At a participating pharmacy for 30-day supply: \$10 copayment for generic \$20 copayment for preferred brand \$35 copayment for non-preferred brand Through Express Scripts mail order for 90-day supply: \$20 copayment for generic \$40 copayment for preferred brand \$105 copayment for non-preferred brand	At a participating pharmacy for 30-day supply: \$10 copayment for generic \$25 copayment for preferred brand \$50 copayment for non-preferred brand Through Express Scripts mail order for 90-day supply: \$20 copayment for generic \$50 copayment for preferred brand \$100 copayment for non-preferred brand
Prescription Out-of-Pocket Maximum	\$1,250 per calendar year	None	None
Emergency Services			
Hospital Emergency Room and Outside of HMO Service Area Note: Whenever possible, notify your plan of any medical emergency within 48 hours.	Deductible, then 20% coinsurance	\$50 copayment (waived if hospitalized)	\$50 copayment (waived if hospitalized)
Harvard University Health Services (HUHS)			
HUHS	HUHS available to participants; member will be billed for services not covered in full by Medicare and BCBS Medex.	HUHS available to participants	HUHS not available to participants
Mental Health Services			
Outpatient Care Office Visits	Deductible, then 20% coinsurance	Biologically based: \$15 copayment for each individual/group therapy visit; unlimited visits Other: \$15 copayment after Medicare coverage is exhausted, up to 24 visits	\$15 copayment per visit; unlimited visits

Medical Plan Coverage	BCBS Medex 800-882-1093 bcbsma.com	HPHC/Medicare Enhance 877-679-5667 harvardpilgrim.org	Tufts Health Plan Medicare Preferred HMO 800-936-1902 tuftshealthplan.com
Mental Health Services			
Psychiatric Hospital	Deductible, then 20% coinsurance	Biologically based covered at 100% Same benefits as acute inpatient hospital care Other: Covered at 100% up to 60 days per calendar year	Covered in full up to Medicare's lifetime limit of 190 days
Ambulance Service			
Ambulance Service	Deductible, then 20% coinsurance if Medicare determines services are medically necessary	Covered in full for Medicare-covered ambulance services	Covered in full for Medicare-covered ambulance services
Home Health Care			
Medically Necessary Home Health Services	Deductible, then 20% coinsurance; you pay all charges for home services not covered by Medicare	Covered in full when medically necessary	Covered in full when medically necessary
Skilled Nursing Care Facility			
Semi-private room and necessary services in a Medicare-approved nursing facility	Deductible, then 20% coinsurance	Covered in full up to 100 days per benefit period	Covered in full up to 100 days per benefit period
Durable Medical Equipment			
Prosthetic Devices	Deductible, then 20% coinsurance	Covered in full when medically necessary	Covered in full when medically necessary
Vision Care			
Annual Eye Exams for Glasses	Coverage coordinated with Medicare	\$15 copayment	\$15 copayment
Eyeglasses	Coverage coordinated with Medicare	Up to \$200 toward eyewear every 24 months	Coverage for eyewear up to \$150 per member at EyeMed provider; up to \$90 at any other eyewear provider per calendar year
Additional Benefits			
Additional Benefits	Naturally Healthy Rewards Program offers discounts on acupuncture, massage therapy, and nutritional counseling.	Hearing aids: Up to \$500 per calendar year	Hearing aids: \$500 toward purchase or repair every 3 years and discounts through Hearing Care Solutions.

1.4 Retiree Dental

If you meet the eligibility requirements for post-retirement health coverage, you and your spouse/domestic partner (and eligible dependent children, if any) may participate in the retiree Delta Dental Plan.

You have two opportunities to enroll in retiree dental coverage:

- You may enroll in the benefit at the time of retirement.
- If you defer enrolling in retiree medical coverage at the time you retire, you may also defer your enrollment in retiree dental coverage. At the time that you later enroll in medical coverage, you can also enroll in retiree dental coverage.

If you do not choose to enroll at one of these two times, you will not be able to do so later. You may cancel your dental coverage during any Open Enrollment period, with an effective date of the following January 1. Or, if you experience an IRS-defined change in status during the year, you may cancel your coverage within 30 days of the change in status. **If you cancel retiree dental coverage, you will not be able to re-enroll at a later date.**

Retiree Dental

Delta Dental PPO Covered Services	
Deductible	\$100 per individual
Coinsurance after Deductible	50%
Type I: Diagnostic/Preventive	Covered in full
Type II: Restorative/Oral Surgery/Periodontics/ Endodontics/Emergency Dental Care	Deductible, then coinsurance
Type III: Prosthodontics/Major Restorative	Deductible, then coinsurance
Calendar Year Maximum	\$3,000 per individual

HURA Dental Plan Information

For a summary of the dental care benefits and services available to benefits-eligible retirees and eligible family members under the HURA dental coverage option, which has been closed to new participants since before 2000, contact Delta Dental or Harvard Human Resources, Benefits. See Section 3, “How Do I Get in Touch,” for contact information for Delta Dental and Harvard Human Resources, Benefits.

1.5 Legal Plan

Your benefit ends on your retirement date. You have the option to port your coverage within 30 days of your retirement date. You will need to contact MetLife Legal Plans Client Service Center at 1-800-821-6400.

1.6 Identity Theft Protection

Your benefit ends on your retirement date. You have the option to port your coverage within 90 days of your retirement date. You will need to contact Allstate’s customer care team at 1-800-789-2720.

2. HOW DO I FILE OR APPEAL A CLAIM?

For in-depth information on how to file or appeal a benefits claim, please review this section.

2.1 ERISA Claims Procedures for Health Plans

Claiming Benefits

A health plan benefits claim is a request for a Plan benefit or benefits, made by a covered employee/dependent or their representative, that complies with the Plan's reasonable procedure for making benefit claims. A claim for benefits may be a request for a coverage determination, for pre-authorization or approval of a Plan benefit, or for a utilization review determination in accordance with the terms of the Plan.

Post-Service Claims

Post-Service Claims are those claims that are filed for payment of benefits after health care has been received. If your Post-Service Claim is denied, you will receive a written notice from the Plan Administrator within 30 days of receipt of the claim, as long as all needed information was provided with the claim. The Plan Administrator will notify you within this 30-day period if additional information is required to process the claim, and may request a one-time extension not longer than 15 days and put your claim on hold until all information is received.

Once notified of the extension, you have 45 days to provide this information. If all the requested information is received within the 45-day time frame and the claim is denied, the Plan Administrator will notify you of the denial within 15 days after the information is received. If you do not provide the requested information within the 45-day period, your claim will automatically be denied.

Pre-Service Claims

Pre-Service Claims are those claims that require notification or approval prior to receiving health care. If your claim was a Pre-Service Claim and was submitted properly with all necessary information, you will receive written notice of the claim decision (whether or not adverse) from the Plan Administrator within 15 days of receipt of the claim. If you filed a Pre-Service Claim improperly, the Plan Administrator will notify you of the improper filing and how to correct it within 15 days of receipt of the Pre-Service Claim. You will be given at least 45 days from the receipt of this notice to correct your claim.

The Plan Administrator will notify you of its determination within 15 days after the claim is received, unless the Plan Administrator determines, in its discretion, that special circumstances require an extension of time for processing the claim. If an extension of time is required, a written or electronic extension notice indicating the special circumstances requiring the extension of time and the date by which the Plan Administrator expects to render a decision will be furnished to you prior to the end of the initial 15-day period. If the extension is necessary because of your failure to provide missing information and you are notified of that fact, the extension will not exceed a period of 15 days beginning on the earlier of (1) the date the missing information is received by the Plan Administrator or (2) the end of the period afforded to you to provide the missing information. Otherwise, the extension will not exceed 15 days from the end of the initial 15-day period.

If all the requested information is received within the 45-day time frame, the Plan Administrator will notify you of the determination within 15 days after the information is received. If you do not provide the requested information within the 45-day period, your claim will be denied.

Urgent Care Claims That Require Immediate Action

Urgent Care Claims are those claims that require notification or approval prior to receiving medical care, where a delay in treatment could seriously jeopardize your life or health or the ability to regain maximum function, or, in the opinion of a doctor with knowledge of your health condition, could cause severe pain. In these situations, you will receive notice of the benefit determination (whether or not adverse) in writing or electronically as soon as possible, but not later than 72 hours after the Plan Administrator receives all necessary information, taking into account the seriousness of your condition.

If you filed an Urgent Care Claim improperly, the Plan Administrator will notify you of the improper filing and how to correct it within 24 hours after the Urgent Care Claim was received. If additional information is needed to process the claim, the Plan Administrator will notify you of the information needed within 24 hours after the claim was received. You then have 48 hours to provide the requested information.

You will be notified of a determination no later than 48 hours after

- the Plan Administrator's receipt of the requested information or
- the end of the 48-hour period within which you were to provide the additional information, if the information is not received within that time.

Concurrent Care Claims

If an ongoing course of treatment was previously approved for a specific period of time or number of treatments, and your request to extend the treatment is an Urgent Care Claim as defined above, your request will be processed by the Plan Administrator within 24 hours of the receipt of your request, provided your request is made at least 24 hours prior to the end of the approved treatment. If your request for extended treatment is not made at least 24 hours prior to the end of the approved treatment, the request will be treated as an Urgent Care Claim and processed according to the time frames described above.

If an ongoing course of treatment was previously approved for a specific period of time or number of treatments, and you request to extend treatment in a nonurgent circumstance, your request will be considered a new claim and processed according to post-service or pre-service time frames, whichever applies.

If an ongoing course of treatment was previously approved for a specific period of time or number of treatments, and the Plan Administrator reduces or terminates such course of treatment (other than by Plan amendment or termination) before the end of such period of time or number of treatments, the Plan Administrator will notify you before the course of treatment is reduced or terminated (sufficiently in advance of the termination or reduction to allow you to appeal the decision and obtain a determination upon review of the decision).

Notice of Adverse Benefit Determination

If a claim is wholly or partially denied, or if a rescission of coverage occurs (each an “Adverse Benefit Determination”), the Plan Administrator will furnish the Plan participant with a written notice of the Adverse Benefit Determination. The written notice will contain the following information:

- (a) The specific reason or reasons for the Adverse Benefit Determination
- (b) Specific reference to those Plan provisions on which the Adverse Benefit Determination is based
- (c) A description of any additional information or material necessary to correct the claim and an explanation of why such material or information is necessary
- (d) Appropriate information as to the steps to be taken if a Plan participant wishes to submit the claim for review
- (e) In the case of an Adverse Benefit Determination by the Plan,
 - if an internal rule, guideline, protocol, or other similar criterion was relied upon in making the Adverse Benefit Determination, either (1) the specific rule, guideline, protocol, or other similar criterion, or (2) a statement that such a rule, guideline, protocol, or other similar criterion was relied upon in making the Adverse Benefit Determination and that a copy of such rule, guideline, protocol, or other criterion will be provided free of charge to the participant upon request; or
 - if the Adverse Benefit Determination is based on a medical necessity or experimental treatment or similar exclusion or limit, either (1) an explanation of the scientific or clinical judgment for the determination, applying the terms of the Plan to the participant’s medical circumstances, or (2) a statement that such explanation will be provided free of charge upon request
- (f) In the case of an Adverse Benefit Determination by a group health plan concerning a claim involving urgent care, a description of the expedited review process applicable to such claims

In the case of an Adverse Benefit Determination, the Plan must

- (a) ensure that any notice of Adverse Benefit Determination includes information sufficient to identify the claim involved (including the date of service, the health care provider, and the claim amount if applicable) and provide notice of the opportunity to request the diagnosis code and its corresponding meaning, and the treatment code and its corresponding meaning;
- (b) ensure that the reason or reasons for the Adverse Benefit Determination include the denial code and its corresponding meaning, as well as a description of the group health plan’s standard, if any, that was used in denying the claim;
- (c) provide a description of available internal appeals and external review processes, including information regarding how to initiate an appeal; and
- (d) disclose the availability of, and contact information for, any applicable office of health insurance consumer assistance or ombudsman established under Section 2793 of the Public Health Service Act to assist individuals with the internal claims and appeals processes and the external review process.

Appealing a Denied Claim

If you disagree with a claim determination after following the above steps, you can contact the Plan Administrator in writing to formally request an appeal. In your appeal, you may submit written comments, documents, records, and other information relating to your claim for benefits. You will be provided, upon request and free of charge, reasonable access to, and copies of, all documents, records, and other information relevant to your claim for benefits. The review of your claims will take into account all comments, documents, records, and other information you submit, without regard to whether such information was submitted or considered in the initial benefit determination. With respect to a claim for benefits under a group health plan, the Plan will identify, upon request to the Plan Administrator, any medical experts whose advice was obtained on behalf of the Plan in connection with your Adverse Benefit Determination, without regard to whether the advice was relied upon in making the benefit determination.

If the appeal relates to a claim for payment, your request should include

- the patient's name and the identification number from the ID card,
- the date(s) of service(s),
- the provider's name,
- the reason you believe the claim should be paid, and
- any documentation or other written information to support your request for claim payment.

You may appeal any denial of a claim within 180 days of receipt of such a denial by submitting a written request for review to the Plan Administrator.

The review of your appeal will not afford deference to the initial Adverse Benefit Determination and will be conducted by an appropriate named fiduciary of the Plan who is neither the individual who made the Adverse Benefit Determination that is the subject of the appeal nor the subordinate of such individual. In deciding an appeal that is based in whole or in part on a medical judgment, including determinations with regard to whether a particular treatment, drug, or other item is experimental, investigational, or not medically necessary or appropriate, the appropriate named fiduciary will consult with a health care professional who has appropriate training and experience in the field of medicine involved in the medical judgment and who is neither an individual who was consulted in connection with the Adverse Benefit Determination that is the subject of the appeal nor the subordinate of any such individual.

In the case of a claim involving urgent care, you are entitled to an expedited review process, pursuant to which,

- you may submit a request for an expedited appeal of an Adverse Benefit Determination orally or in writing and
- all necessary information, including the Plan's benefit determination on review, will be transmitted between the Plan and the participant by telephone, facsimile, or other available similarly expeditious method.

The Plan must provide the claimant, free of charge, with any new or additional evidence considered, relied upon, or generated by the Plan (or at the direction of the Plan) in connection with the claim; such evidence must be provided as soon as possible and sufficiently in advance of the date on which the notice of final internal Adverse

Benefit Determination is required to be provided (see “Timing of Notification of Benefit Determination on Review,” below) to give the claimant a reasonable opportunity to respond prior to that date.

Before the Plan can issue a final internal Adverse Benefit Determination based on a new or additional rationale, the claimant must be provided, free of charge, with the rationale; the rationale must be provided as soon as possible and sufficiently in advance of the date on which the notice of final internal Adverse Benefit Determination is required to be provided (see “Timing of Notification of Benefit Determination on Review,” below) to give the claimant a reasonable opportunity to respond prior to that date.

Any determination by the Plan Administrator or any authorized delegate will be binding and final in the absence of clear and convincing evidence that the Plan Administrator or delegate acted arbitrarily and capriciously.

Timing of Notification of Benefit Determination on Review

For the purposes of this section, the period of time within which a benefit determination on review is required to be made will begin at the time an appeal is filed, without regard to whether all the information necessary to make a benefit determination on review accompanies the filing. If a period of time is extended, as permitted below, due to your failure to submit information necessary to process a claim, the period for making the benefit determination on review will be counted from the date on which the notification of the extension is sent to you until the date on which you respond to the request for additional information.

Appeal Process

A qualified individual who was not involved in the decision being appealed will be appointed to decide the appeal. If your appeal is related to clinical matters, the review will take place in consultation with a health care professional with appropriate expertise in the field who was not involved in the prior determination. The Plan Administrator may consult with, or seek the participation of, medical experts as part of the appeal resolution process. You hereby consent to this referral and the sharing of pertinent health claim information. Upon request and free of charge, you have the right to reasonable access to, and copies of, all documents, records, and other information relevant to your claim for benefits.

Appeal Determinations

Pre-Service and Post-Service Claim Appeals

You will be provided with written or electronic notification of the decision on your appeal as follows:

- For appeals of Pre-Service Claims (as defined above), the first-level appeal will be conducted and you will be notified by the Plan Administrator of the decision within 15 days from receipt of a request for appeal of a denied claim. The second-level appeal will be conducted and you will be notified by the Plan Administrator of the decision within 15 days from receipt of a request for review of the first-level appeal decision.
- For appeals of Post-Service Claims (as defined above), the first-level appeal will be conducted and you will be notified by the Plan Administrator of the decision within 30 days from receipt of a request for appeal of a denied claim. The second-level appeal will be conducted and you will be notified by the Plan Administrator of the decision within 30 days from receipt of a request for review of the first-level appeal decision.

- For procedures associated with Urgent Care Claims, see “Urgent Care Claim Appeals That Require Immediate Action,” below.

If you are not satisfied with the first-level appeal decision of the Plan Administrator, you have the right to request a second-level appeal from the Plan Administrator. Your second-level appeal request must be submitted to the Plan Administrator within 15 days of the receipt of the first-level appeal decision.

Please note that the Plan Administrator’s decision is based only on whether or not benefits are available under the Plan for the proposed treatment or procedure. The determination as to whether the pending health service is necessary or appropriate is between you and your doctor.

Urgent Care Claim Appeals That Require Immediate Action

Your appeal may require immediate action if a delay in treatment could significantly increase the risk to your health or to your ability to regain maximum function, or cause severe pain. In these urgent situations, the appeal does not need to be submitted in writing. You or your doctor should call the Plan Administrator as soon as possible. The Plan Administrator will provide you with a written or electronic determination within 72 hours following receipt of your request for review of the determination, taking into account the seriousness of your condition.

The Plan Administrator has the exclusive right to interpret and administer the provisions of the Plan. The Plan Administrator’s decisions are conclusive and binding. The Plan Administrator has final claims adjudication authority under the Plan.

Manner of Notification of Final Internal Adverse Benefit Determination

The Plan Administrator will provide a participant with written or electronic notification of a Plan’s benefit determination on review. In the case of an Adverse Benefit Determination, the notification will set forth, in a manner calculated to be understood by the participant,

- (a) the specific reason or reasons for the Adverse Benefit Determination;
- (b) reference to the specific Plan provisions on which the Adverse Benefit Determination is based;
- (c) a statement that the participant is entitled to receive, upon request and free of charge, reasonable access to, and copies of, all documents, records, and other information relevant to the participant’s claim for benefits;
- (d) a statement describing any voluntary appeal procedures offered by the Plan and the participant’s right to obtain information about such procedures;
- (e) a statement of the participant’s right to bring an action under Section 502(a) of ERISA; and
- (f) the following information:
 - if an internal rule, guideline, protocol, or other similar criterion was relied upon in making the Adverse Benefit Determination, either (1) the specific rule, guideline, protocol, or other similar criterion, or (2) a statement that such rule, guideline, protocol, or other similar criterion was relied upon in making the adverse determination and that a copy of the rule, guideline, protocol, or other similar criterion will be provided free of charge to the participant upon request;

- if the Adverse Benefit Determination is based on a medical necessity or experimental treatment or similar exclusion or limit, either (1) an explanation of the scientific or clinical judgment for the determination, applying the terms of the Plan to the participant's medical circumstances, or (2) a statement that such an explanation will be provided free of charge upon request; and
- the following statement: "You and your Plan may have other voluntary alternative dispute resolution options, such as mediation. One way to find out what may be available is to contact your local U.S. Department of Labor Office and your state insurance regulatory agency."

In the case of an Adverse Benefit Determination, the Plan must

- ensure that any notice of final internal Adverse Benefit Determination includes information sufficient to identify the claim involved (including the date of service, the health care provider, and the claim amount if applicable), the diagnosis code and its corresponding meaning, and the treatment code and its corresponding meaning;
- ensure that the reason or reasons for the final internal Adverse Benefit Determination include the denial code and its corresponding meaning, as well as a description of the group health plan's standard, if any, that was used in denying the claim (this description must also include a discussion of the decision);
- provide a description of available internal appeals and external review processes, including information regarding how to initiate an appeal; and
- disclose the availability of, and contact information for, any applicable office of health insurance consumer assistance or ombudsman established under Section 2793 of the Public Health Service Act to assist individuals with the internal claims and appeals processes and the external review process.

External Review

In the case of a final internal Adverse Benefit Determination, you may be entitled to request an independent, external review of our decision. If your situation is urgent, you may be entitled to an expedited external review.

More information about your external review rights, including the time frame and procedure for requesting an external review, will be provided to you in the notice of final internal Adverse Benefit Determination.

2.2 ERISA Claims Procedures for All Other Welfare Plans

If your claim is wholly or partially denied, the Plan Administrator will provide you with a written notification, which will include (1) the specific reasons for the denial; (2) reference to the specific Plan provisions upon which the denial is based; (3) a description of any additional information necessary for you to perfect your claim, with an explanation of why the information is needed; and (4) a description of the Plan's claim review procedures and the time limits applicable to such procedures, including a statement of your right to bring a civil action under Section 502(a) of ERISA following a denial of benefits on review.

A written claim denial will be sent to you within 90 days after receipt of the claim by the Plan. The 90 days may be extended for up to another 90 days if special circumstances warrant an extension of time.

If such an extension is needed, you will be notified in writing prior to the end of the initial 90-day period. The extension notice will indicate the special circumstances requiring an extension of time and the date by which the Plan expects to render a decision.

You, your beneficiary (when an appropriate claimant), or a duly authorized representative may appeal any denial of a claim for benefits by filing a written request for a full and fair review of your claim with the Plan Administrator. In connection with such a request, you may submit written comments, documents, records, and other information relating to your claim for benefits. You will also be provided, upon request and free of charge, reasonable access to, and copies of, all documents, records, and other information relevant to your claim for benefits.

A document, record, or other information will be considered “relevant” to your claim if the document, record, or other information

- (a) was relied upon in making the benefit determination or
- (b) was submitted, considered, or generated in the course of making the benefit determination, without regard to whether the document, record, or other information was relied upon in making the benefit determination; and
- (c) demonstrates compliance with the administrative processes and safeguards within these claims procedures in making the benefit determination.

The review of your claim will take into account all comments, documents, records, and other information you submit relating to your claim, without regard to whether such information was submitted or considered in the initial determination of your claim.

You may have representation throughout the review procedure.

A request for review must be filed within 60 days of your receipt of the written notice of denial of a claim. The full and fair review will be held and a decision rendered by the Plan Administrator no later than 60 days after receipt of the request for review.

If there are special circumstances (such as the need to hold a hearing), the decision will be made as soon as possible, but not later than 120 days after receipt of the request for review. If such an extension of time is needed, you will be notified in writing prior to the end of the initial 60-day period.

The extension notice will indicate the special circumstances requiring an extension and the date by which a decision is expected to be reached. The decision with respect to your review will be provided in writing and will include specific reasons for the decision; specific references to the pertinent Plan provisions on which the decision is based; a statement that the claimant is entitled to receive, upon request and free of charge, reasonable access to, and copies of, all documents, records, and other information relevant to the claimant's claim for benefits; and a statement of the claimant's right to bring an action under Section 502(a) of ERISA.

3. HOW DO I GET IN TOUCH?

If you have any specific questions, please refer to the chart below for your benefit provider's contact information.

3.1 Benefits Contact Information

For all general benefits questions, please contact:

Harvard Human Resources, Benefits
617-496-4001
benefits@harvard.edu
hr.harvard.edu > Total Rewards

For direct billing questions, please contact:

Benefit Strategies, LLC
PO Box 1300
Manchester, NH 03105-1300
855-HVD-FLEX (855-483-3539)
hvdflex@benstrat.com

Plan Name and Number	Plan Sponsor and Identification Number	Plan Administrator and Agent for Legal Services	Plan Type, Administration, and Year-End	Contact Information for Individual Plans
MEDICAL				
Harvard University Flexible Benefits Plan (PN 501)	Harvard University 114 Mt. Auburn St. Cambridge, MA EIN #: 04-2103580	Harvard University Harvard Human Resources 114 Mt. Auburn St. Cambridge, MA 617-496-4001	Medical Self-Insured (SI) and Fully Insured (FI) Plans December 31	Harvard University Group Health Plan (SI) 617-495-2008 hughp.harvard.edu Blue Cross Blue Shield of MA (SI) 888-389-7732 bluecrossma.com Tufts Medicare Preferred HMO (FI) 800-936-1902 tuftshealthplan.com Harvard Pilgrim Medicare Enhance (FI) 877-679-5667 harvardpilgrim.org Blue Cross Blue Shield Medex (SI) 800-882-1093 bcbsma.com Kaiser Permanente (FI) 855-249-5018 CareFirst/Blue Cross Blue Shield (FI) 888-567-9155 Express Scripts (SI) (Harvard's Pharmacy Benefits Manager) Under age 65: 877-787-8684 Age 65+: 866-544-2895 express-scripts.com

For more information, visit hr.harvard.edu.

Plan Name and Number	Plan Sponsor and Identification Number	Plan Administrator and Agent for Legal Services	Plan Type, Administration, and Year-End	Contact Information for Individual Plans
Plan Name and Number	Plan Sponsor and Identification Number	Plan Administrator and Agent for Legal Services	Plan Type, Administration, and Plan Year-End	Contact Information for Individual Plans
SPENDING ACCOUNTS AND HEALTH SAVINGS ACCOUNT				
Legal Plan				MetLife Legal Plans 800-821-6400 info.legalplans.com
Identity Theft Protection				Allstate 800-789-2720 allstateidentityprotection.com
LIFE INSURANCE				
			Basic, Contributory Life, and Dependent Life Fully Insured December 31	Metropolitan Life Insurance Company (MetLife) 800-638-6420 metlife.com
DENTAL				
			Dental Self-Insured December 31	Delta Dental of Massachusetts 800-872-0500 deltadentalma.com

4. WHAT ARE MY RIGHTS UNDER ERISA?

As a participant in the Plan, you are entitled to certain rights and protections under ERISA, which are detailed in this section.

4.1 Description of ERISA Rights

Receive Information about Your Plan and Benefits

If you participate in the Plan, ERISA provides that you will be entitled to

- examine, without charge, at the Plan Administrator's office and at other specified locations, such as worksites and union halls, all documents governing the Plan, including insurance contracts and collective bargaining agreements, and a copy of the latest annual report (Form 5500 Series) filed by the Plan with the U. S. Department of Labor and available at the Public Disclosure Room of the Employee Benefits Security Administration (EBSA);
- obtain, upon written request to the Plan Administrator, copies of documents governing the operations of the Plan, including insurance contracts and collective bargaining agreements, and copies of the latest

annual report (Form 5500 Series) and updated SPD (the Plan Administrator may make a reasonable charge for the copies); and

- receive a summary of the Plan's annual financial report (the Plan Administrator is required by law to furnish each participant with a copy of the summary annual report).

Continue Group Health Plan Coverage

In certain instances, you will be entitled to continue health care coverage for yourself and your spouse/domestic partner or dependents if there is a loss of group health plan coverage under the Plan as a result of a qualifying event (as described in further detail in Section 6.1). You or your dependents may have to pay for such coverage. Harvard's group health plans include the medical/dental portions of the Harvard University Flexible Benefits Plan (Plan No. 501) and the Harvard University Medical Reimbursement Program (Plan No. 506).

Domestic partners (same-sex and opposite-sex) are not considered qualified beneficiaries under COBRA. However, Harvard extends rights similar to COBRA to eligible domestic partners.

You should review this SPD and the documents governing the Plan for information on the rules governing your COBRA continuation coverage rights.

Prudent Actions by Plan Fiduciaries

In addition to creating rights for Plan participants, ERISA imposes duties upon the people who are responsible for the operation of the employee benefit plan. The people who operate your Plan, called "fiduciaries" of the Plan, have a duty to do so prudently and in the interest of the Plan participants and beneficiaries. No one, including your employer, your union, or any other person, may fire you or otherwise discriminate against you in any way to prevent you from obtaining a welfare benefit or exercising your rights under ERISA.

Enforce Your Rights

If your claim for a welfare benefit is denied or ignored, in whole or in part, you have a right to know why, to obtain copies of documents relating to the decision without charge, and to appeal any denial, all within certain time schedules.

Under ERISA, there are steps you can take to enforce the above rights. For instance, if you request a copy of Plan documents or the latest annual report from the Plan and do not receive it within 30 days, you may file suit in a federal court. In such a case, the court may require the Plan Administrator to provide the materials and pay you up to \$110 a day until you receive the materials, unless the materials were not sent due to reasons beyond the control of the Plan Administrator. If you have a claim for benefits that is denied or ignored, in whole or in part, you may file suit in a state or federal court. In addition, if you disagree with the Plan's decision or lack thereof concerning the qualified status of a domestic relations order or a medical child support order, you may file suit in federal court. If Plan fiduciaries should happen to misuse the Plan's money, or if you are discriminated against for asserting your rights, you may seek assistance from the U.S. Department of Labor, or you may file suit in a federal court.

The court will decide who should pay court costs and legal fees. If you are successful, the court may order the

person you have sued to pay these costs and fees. If you lose, the court may order you to pay these costs and fees—for example, if it finds your claim is frivolous.

Assistance with Your Questions

If you have any questions about your Plan, contact the Benefits Office at 617-496-4001. If you have any questions about this statement or about your rights under ERISA, or if you need assistance in obtaining documents from the Plan Administrator, you should contact the nearest office of EBSA, U.S. Department of Labor, listed in your telephone directory or on the U.S. Department of Labor's website (dol.gov/ebsa), or the Division of Technical Assistance and Inquiries, EBSA, U.S. Department of Labor, 200 Constitution Avenue N.W., Washington, DC 20210. You may also obtain certain publications about your rights and responsibilities under ERISA by calling the publications hotline of EBSA or visiting dol.gov/ebsa.

5. WHAT ELSE DO I NEED TO KNOW?

Review this section for important administrative information about the Plan.

5.1 Sources of Plan Contributions and Election of Benefits

Contributions for certain benefits under the Plan may be made solely by participating employers or solely by participating employees. Some of the benefits require joint contributions from participating employees and participating employers. The requirements governing election of and payment for any benefits available to participating employees are described in the Plan.

5.2 Third-Party Liability

The Plan provides payment for covered expenses if you or your dependents are ill or injured. However, if a third party (person or organization) is at fault for the illness or injury and you or your covered dependents bring a claim against the third party, you must reimburse the Plan for any Plan-paid benefits immediately after you collect damages. The Plan will be reimbursed in full from any judgments, insurance policy proceeds, or settlement before any amounts from such judgment, proceeds, or settlements, including attorneys' fees you incur, are paid to any other person, regardless of the manner in which the recovery is structured.

The Plan may file a lien against the third party, or the third-party's agent or with the court, and you agree to consent to such a lien. You must take any reasonable actions necessary to protect the Plan's subrogation and reimbursement rights, including notifying the Plan Administrator if and when you or your covered dependents file a lawsuit or other action or enter into a settlement negotiation with another party (including his or her insurance company) in connection with the conduct of such a party. You must cooperate with the Plan's reasonable requests concerning its subrogation and reimbursement rights and must keep the Plan Administrator informed of any developments in any legal actions or settlement negotiations. You also agree that the Plan may withhold any future benefits paid by the Plan to the extent necessary to reimburse the Plan under its subrogation and reimbursement rights.

The Plan is subrogated to all the rights you may have against any third party, including an insurance company, liable for your injury or illness or for the payment for the medical treatment of such injury or illness up to the value of the benefits provided to you under the Plan. The Plan may assert its subrogation rights independently. You will cooperate with the Plan and its agents to protect these subrogation rights by, among other things, providing the Plan with relevant information that it requests, signing and delivering such documents as the Plan may reasonably require to secure its rights, and obtaining the Plan's consent before releasing any party from liability for payment. Any litigation or settlement negotiations will be undertaken so as to not prejudice, in any way, the Plan's subrogation rights.

Contact your insurer or consult your Harvard Pilgrim Health Care Benefit Handbook or your Blue Cross Blue Shield Benefits Description (Massachusetts only) for details on your medical plan's right to recover benefits paid on behalf of yourself or your dependents.

5.3 Additional Documentation

The Plan Administrator will furnish the following documentation without charge as a separate document:

- Upon request, a description of the Plan's procedures for qualified medical child support orders
- Upon request, provider lists/directories for the applicable health provider networks utilized by the Plan
- Automatically, claims procedures for medical and disability benefits to the extent such procedures change prior to the next revision of this SPD

5.4 Agent for Service of Legal Process

Legal process may be served on the Plan Administrator. If a legal summons is to be served on the Plan, it should be directed to:

Harvard University
Office of Human Resources
114 Mount Auburn Street, 4th Floor
Cambridge, MA 02138
617-496-4001

6. REQUIRED NOTICES

6.1 Continuation of Health Care Benefits—COBRA

A federal law known as the Consolidated Omnibus Budget Reconciliation Act or, more commonly, COBRA requires that most employers sponsoring group health plans offer employees and their families ("qualified beneficiaries") the opportunity to elect and pay for a temporary extension of health coverage, called "continuation coverage," at group rates in certain instances ("qualifying events") where coverage under the employer's Plan would otherwise end.

This notice is intended to inform you, in a summary fashion, of your rights and obligations under the continuation

coverage provisions of that law. (Both you and your spouse should take time to read this notice carefully.)

If you are an employee of Harvard or one of the participating employers (the “Employer”) covered by a group health plan maintained by Harvard (the “Health Plan”), you have a right to choose this continuation coverage if you lose your group health coverage because of a reduction in your hours of employment or the termination of your employment (for reasons other than gross misconduct on your part).

If you are the spouse of an employee covered by the Health Plan, you have the right to choose continuation coverage for yourself if you lose group health coverage under the Health Plan for any of the following four reasons:

- (a) The death of your spouse
- (b) Your spouse’s separation from employment (for reasons other than gross misconduct) or reduction in your spouse’s hours of employment with the Employer
- (c) Divorce or legal separation from your spouse
- (d) Your spouse’s becoming entitled to Medicare

In the case of a dependent child of an employee covered by the Health Plan, he or she has the right to choose continuation coverage if group health coverage under the Health Plan is lost for any of the following five reasons:

- (a) The death of the employee
- (b) The employee’s separation from employment (for reasons other than gross misconduct) or reduction in the employee’s hours of employment with the Employer
- (c) The employee’s divorce or legal separation
- (d) The employee’s becoming entitled to Medicare
- (e) The dependent’s ceasing to be a “dependent child” under the Health Plan

Rights similar to those described above may, in certain instances, apply to retirees, spouses, and dependents if Harvard is involved in a proceeding under Title 11, United States Code, and those individuals lose health coverage as a result of that proceeding.

Under the law, the employee or a family member has the responsibility to inform Harvard of a divorce, a legal separation, or a child’s losing dependent status under the Health Plan within 60 days of the later of the date of such an event or the date on which coverage would be lost because of such an event. Failure to do so within the time limits will result in loss of eligibility for COBRA continuation. Harvard has the responsibility to notify the Plan Administrator of the employee’s death, separation from employment, reduction in hours, or Medicare entitlement.

If you lose coverage because of a qualifying event, you have at least 60 days from the date you lost coverage to inform Harvard that you wish to elect continuation coverage. If you do not elect continuation coverage on a timely basis, your group health coverage will end. If you elect continuation coverage, Harvard is required to permit you to elect and purchase coverage that, as of the time coverage is being provided, is identical to the coverage provided under the Health Plan to similarly situated employees or family members. The law requires that you be afforded the opportunity to maintain continuation coverage for 36 months unless you lost group health coverage because

of a termination of employment or reduction in hours. In that case, the required continuation coverage period is 18 months. This 18 months may be extended to 36 months from the date employment terminated or hours were reduced if a second event entitling you to choose continuation coverage (such as death, divorce, legal separation, ceasing to be a dependent child, or Medicare entitlement) occurs within that 18-month period.

The 18 months may be extended to 29 months if a qualified beneficiary is determined by the Social Security Administration (for purposes of Title II [Old Age, Survivors, and Disability Insurance] or Title XVI [Supplemental Security Income] of the Social Security Act) to have been disabled at any time during the first 60 days of COBRA continuation coverage. This 11-month extension is available to all individuals who are qualified beneficiaries and lost coverage due to a termination in employment or reduction in hours. To benefit from this extension, the qualified beneficiary must notify Harvard of the Social Security Administration's determination within 60 days of such a determination and before the end of the original 18-month period of continuation coverage. The qualified beneficiary must also notify the Employer within 30 days of the date of any final determination by the Social Security Administration that the individual is no longer disabled. Furthermore, the monthly premium cost to such a qualified beneficiary during the 11-month extension will be increased to 150% of the applicable premium relating to continuation coverage.

A child who is born to or placed for adoption with the covered employee during a period of COBRA continuation coverage will be eligible to become a qualified beneficiary. In accordance with the terms of the Health Plan and the requirements of federal law, these qualified beneficiaries can be added to COBRA continuation coverage upon proper notification of the Plan Administrator within 60 days of the birth or adoption.

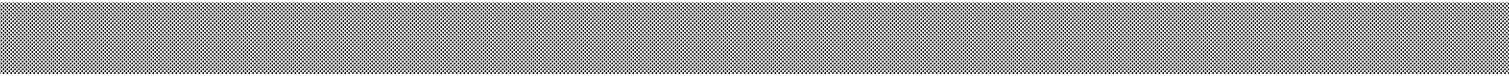
However, the law also provides that your continuation coverage may be cut short for any of the following five reasons:

- (1) Harvard no longer provides group health coverage to any of its employees
- (2) The premium for continuation coverage is not paid on a timely basis
- (3) The qualified beneficiary becomes covered—after the date he or she elects COBRA coverage—under any other group health plan (as an employee or otherwise)
- (4) The qualified beneficiary becomes entitled to Medicare after the date he or she elects COBRA coverage
- (5) The qualified beneficiary extends coverage for up to 29 months due to a disability, and there has been a final determination that the individual is no longer disabled

You do not have to show that you are insurable to choose continuation coverage. However, as discussed above, you will have to pay all the required premiums for your continuation coverage.

Failure to pay any required premium on a timely basis will result in the permanent termination of continuation coverage.

The law also says that, at the end of the 18-month, 29-month, or 36-month continuation coverage period, you must be allowed to enroll in an individual conversion health plan if such an individual conversion health plan is otherwise generally available under the Health Plan.



Continuation coverage under COBRA is provided subject to the qualified beneficiary's eligibility for coverage. The Plan Administrator reserves the right to terminate your COBRA continuation coverage retroactively if you are determined to be ineligible.

You also may have other options available to you when you lose group health plan coverage. For example, you may be eligible to buy an individual plan through the Health Insurance Marketplace. By enrolling in coverage through the Marketplace, you may qualify for lower monthly premiums and lower out-of-pocket costs. Additionally, you may qualify for a 30-day special enrollment period for another group health plan for which you are eligible (such as a spouse's or domestic partner's plan), even if that plan generally does not accept late enrollees.

If You Have Questions about COBRA or the Marketplace

If you have questions about COBRA continuation coverage, you should contact the Benefits Office at 617-496-4001, or you may contact the nearest regional or district office of EBSA, U.S. Department of Labor. Addresses and phone numbers of regional and district EBSA offices are available through EBSA's website at dol.gov/ebsa. For more information about the Marketplace, visit healthcare.gov.

Keep Your Plan Informed of Any Address Changes

In order to protect your family's rights, you should keep the Plan Administrator informed of any changes in the addresses of family members. You should also keep a copy, for your records, of any notices you send the Plan Administrator.

Administration of COBRA/Contact Information

The Plan Administrator is responsible for administering COBRA. Notices that you are required to send to the Plan Administrator should be sent to Benefit Strategies, LLC, PO Box 1300, Manchester, NH 03105-1300, to whom the Plan Administrator has delegated this responsibility.

6.2 Genetic Information Nondiscrimination Act of 2008 (GINA)

Under GINA, an insurance provider or your employer may not discriminate against you on the basis of genetic information, including by adjusting premiums and contribution amounts.

6.3 Health Insurance Portability and Accountability Act (HIPAA) Notice of Special Enrollment Rights

If you are declining enrollment for yourself or your dependents (including your spouse or domestic partner) because of other health insurance or group health plan coverage, you may be able to enroll yourself and your dependents in the Harvard University Medical Plan or in the medical insurance coverage offered under the Harvard University Global Benefits Plan if you or your dependents lose eligibility for that other coverage (or if the employer stops contributing toward your or your dependents' other coverage). Generally, you must request enrollment within 30 days after your or your dependents' other coverage ends (or after the employer stops contributing toward the other coverage); however, if your or your dependents' other coverage is Medicaid or the Children's Health Insurance Program (CHIP), you must request enrollment within 60 days after your or your dependents' Medicaid or CHIP coverage ends.

In addition, if you have a new dependent as a result of marriage, creation of a domestic partnership, birth, adoption, or placement for adoption, you may be able to enroll yourself and your dependents. However, you must request enrollment within 30 days after the marriage, creation of the domestic partnership, birth, adoption, or placement for

adoption. To request special enrollment or to obtain more information, contact the Benefits Office at 617-496-4001.

6.4 HIPAA Notice of Privacy Practices

This notice describes how medical information about you may be used and disclosed, and how you can get access to this information. Please review it carefully. A copy of this notice can also be found at hr.harvard.edu.

You are receiving this notice because you are a member of one or more of the following Plans: the Harvard University Medical Plan, the Harvard University Dental Plan, and/or the Harvard University Vision Plan (each a “Plan” and collectively the “Plans”).

Harvard University (the “Employer” or the “University”) is committed to protecting the privacy of health information maintained by the Plans and by outside vendors who perform services for the Plans. The Plans are required by law to protect the privacy of certain health information that may reveal your identity (“protected health information,” or “PHI”) and to provide you with a copy of this notice, which describes the Plans’ health information privacy practices. If you have any questions about this notice or would like further information about this notice, please contact the Harvard Benefits Privacy and Security Official named on page 46.

Generally, PHI includes all individually identifiable health information concerning you that is maintained by the Plans, including genetic information. PHI does not include health information that is held by the University in its role as your employer (for example, health information held for purposes of your employment records). “Unsecured PHI” is PHI that is not secured through the use of a technology or methodology that renders the PHI unusable, unreadable, or indecipherable.

PHI uses and disclosures by the Plans are regulated by a federal law called the Health Insurance Portability and Accountability Act of 1996 (referred to as “HIPAA”) and the regulations that enforce HIPAA, as amended by the Health Information Technology for Economic and Clinical Health Act of 2009 (“HITECH”). You may find these regulations at 45 Code of Federal Regulations Parts 160 and 164.

This notice does not apply to certain information that may be used and disclosed by the Employer and other third parties without notice and without your authorization. For instance, the Employer and the Employer’s consultants and contractors may use and disclose information contained in your employment records held by the Employer in its role as employer, including information regarding pre-employment health testing. In addition, the Employer and the Employer’s consultants and contractors may use and disclose information concerning benefits that are not part of the Plans, such as disability and life insurance, without notice and without your authorization. This information is not covered by HIPAA privacy regulations or this notice.

SUMMARY OF PERMISSIBLE USES AND DISCLOSURES, AND YOUR RIGHTS REGARDING YOUR HEALTH INFORMATION

The following is a summary only, for your convenience. Please read the entire notice for a more complete description of the Plans’ privacy practices and your rights.

1. Requirement of Written Authorization

A Plan will obtain your written authorization before using your health information or sharing it with others

outside the Plan except as otherwise described in this notice or as otherwise permitted by law. In that regard, the Plans must obtain your written authorization for any use or disclosure of psychotherapy notes, except in some very limited circumstances (e.g., for the Plans to defend themselves in legal proceedings brought by you, for the U.S. Department of Health and Human Services to determine the Plans' compliance with HIPAA, or to avert a serious and imminent threat to public health or safety). Also, without your written authorization, the Plans cannot receive direct or indirect financial remuneration for the sale of your PHI, unless an exception applies (such exceptions include certain public health activities, your treatment, services by a business associate on behalf of the Plans, or providing you with a copy of your PHI). If you provide a Plan with written authorization, you may revoke that authorization by notifying the Plans' Privacy and Security Official at any time, except to the extent that the Plan has already relied on it. To revoke an authorization, please write to the Privacy and Security Official named on page 46.

Except as otherwise permitted or required, as described in this notice, the Plans may not use or disclose your PHI without your written authorization. Any use or disclosure of PHI pursuant to such an authorization must be consistent with that authorization.

2. Exception to Written Authorization

As indicated above, there are some situations in which a Plan will not require your written authorization before using your health information or sharing it with others. Some examples of those situations are as follows:

- **Payment and Health Care Operations.** A Plan may use and disclose your health information in connection with paying claims or running the Plan's normal business operations. Payment and health care operations include a Plan's disclosures to business associates that perform certain services for the Plan or act on behalf of the Plan. In connection with any disclosure to a business associate, a Plan will obtain an appropriate agreement from the recipient of your information in order to restrict further redisclosure to the extent required by law. The Plans' business associates are required to agree, in writing, to maintain the confidentiality of the health information to which they are provided access and to notify the Plans in the event of a breach of your unsecured PHI. The Plans also may disclose PHI to employees of the Employer if those employees assist in carrying out treatment, payment, and health care operations, provided that the PHI is used for these purposes. Nonetheless, the Plan cannot use or disclose genetic information that is PHI for underwriting purposes.
- **Disclosures to the Employer.** A Plan may disclose certain aspects of your health information to the Employer as the sponsor of the Plan. A Plan, however, will restrict the Employer's uses of your information to purposes related only to the Plan's administration. The Plans prohibit the Employer from using your information for employment-related actions or decisions (e.g., for terminating your employment). The Employer or a Plan may also disclose your information to another party that assists the Employer in administering the Plan or performs other functions for the Employer in connection with the Plan, but only if the Employer obtains an appropriate confidentiality agreement from the person or organization receiving your health information.
- **Emergencies or Public Need.** A Plan may use or disclose your health information in an emergency or in response to important public needs. For example, a Plan may share your information if necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public.

- **Information That Does Not Identify You.** A Plan may use or disclose your health information if the Plan has removed any information that might reveal who you are (in which case the information is not covered by this notice), or for certain limited purposes if the Plan has removed most information revealing who you are and obtained a confidentiality agreement from the person or organization receiving your health information.

3. Access to and Control of Your Health Information

The Plans must provide you certain rights with respect to access to and control of your health information. A substantial part of your health information is likely to be maintained by one or more business associates of the Plans, and not by the Employer. If your request pertains to information that is maintained by a business associate that is a third-party administrator of your benefits (for example, Benefit Strategies, LLC), you should make your request directly to the third-party administrator. The Benefits Office will provide you with contact information at your request and can help you determine to whom your request should be addressed. You have the following rights to access and control your health information:

- **Access.** You generally have the right to inspect and copy your health information in a designated record set (i.e., the group of records maintained by the Plans used to make decisions about you, such as records of enrollment, payment, and claims adjudication, and case or medical management records). This right of access does not extend to psychotherapy notes, information compiled for legal proceedings, laboratory results to which the Clinical Laboratory Improvement Amendments prohibit access, or information held by certain research laboratories.
- **Amendments.** You have the right to request that a Plan amend your health information regarding Plan records (for example, billing records) if you believe it is inaccurate or incomplete.
- **Tracking the Ways Your Health Information Has Been Shared with Others.** You have the right to receive a list from a Plan, called an “accounting list,” which provides information about how the Plan has disclosed your health information to outside persons or organizations during the relevant accounting period (see discussion below). Many routine disclosures a Plan makes, including certain disclosures to your Employer for the purposes of administering the Plan, will not be included on this list (but such disclosures made through electronic health records will be on the list).
- **Additional Privacy Protections.** You have the right to request further restrictions on the way a Plan uses your health information or shares it with others. A Plan or other HIPAA “covered entity” (including a health care provider) is not required to agree to the restriction you request (unless the requested restriction is for a health care provider not to disclose to a health plan information regarding health care services for which you [or someone on your behalf other than the Plans] have paid the full cost out of your own pocket), but if the Plan does agree, the Plan will be bound by the agreement.
- **Confidential Communications.** You have the right to request that a Plan contact you in a way that is more confidential for you, such as at work instead of at home, if disclosure of your health information could put you in danger and you clearly state that in your request. A Plan will try to accommodate all reasonable requests.

4. To Have Someone Act on Your Behalf

Under certain circumstances, you may have the right to name a personal representative who can act on your behalf to control the privacy of your health information.

5. Copies of Notice

If you have received this notice electronically, you have the right to a paper copy of this notice if you have not already received one. You may request a paper copy at any time, even if you have previously agreed to receive this notice electronically. A Plan will be required by law to abide by its terms that are currently in effect. However, a Plan also may change its privacy practices from time to time. If that happens, the Plan will revise this notice so you will have access to an accurate summary of the Plan's privacy practices. The revised notice will apply to all your health information maintained by the Plan. To request a paper copy of this notice or any revised notice, please call the Privacy and Security Official named on page 46.

6. Complaints

If you believe your privacy rights with regard to a Plan have been violated, you may file a complaint with the Plan or with the Secretary of the U.S. Department of Health and Human Services. To file a complaint with a Plan, please contact the Privacy and Security Official. *No one will retaliate or take action against you for filing a complaint.*

WHAT HEALTH INFORMATION IS PROTECTED?

The Plans are committed to protecting the privacy of your PHI. This notice only covers health information that can identify you and that has been created or received by or for a Plan. The following are examples of PHI:

- Information regarding payment for your health care
- Information about your health condition (such as your diagnosis)
- Information about health care services you have received or may receive in the future (such as surgery or prescriptions)

Identifying information includes any unique numbers or characteristics (such as your name, address, Social Security number, phone number, or health plan beneficiary number as listed on claims forms).

HOW A PLAN MAY USE AND DISCLOSE YOUR HEALTH INFORMATION WITHOUT YOUR WRITTEN AUTHORIZATION

1. Payment and Health Care Operations

A Plan may use and disclose most health information about you to make payments and perform health care operations without your written authorization. Your information may also be disclosed to other persons or organizations outside a Plan so that they may perform certain types of payment activities and health care operations along with, or for, the Plan. In addition, a Plan may use or disclose PHI for payment and health care operations that these persons or organizations have received or created about you. Below are further examples of how your information may be used and shared.

- **Payment.** A Plan may use and disclose your health information for payment purposes. For example, a Plan may use and disclose your health information for purposes of paying for your health care services or to obtain Plan contributions or premiums from you. Other examples include using and disclosing

your health information to make determinations about your eligibility for benefits, to perform claims management (including, but not limited to, appeals of denied claims), to review the medical necessity or the appropriateness of the care you received, to obtain payment under a stop-loss insurance policy, and to conduct utilization reviews such as pre-authorizations or reviews of services. In addition, a Plan may disclose your health information to the Employer for these purposes.

- **Health Care Operations.** A Plan may use and disclose your health information to conduct normal business operations. For example, a Plan may use your health information to evaluate performance in managing and providing you with health care benefits. A Plan also may use and disclose your health information to investigate the validity of benefits claims or in connection with obtaining stop-loss insurance. In addition, a Plan may share your health information with another company that performs certain services, such as billing, compiling information, or performing audits or quality assessment to help the Plan determine how the Plan is performing relative to other health plans. Whenever a Plan has such an arrangement, it will have an appropriate agreement to ensure that the company that performs these services will protect the privacy of your health information, maintain its confidentiality, and limit the uses or further disclosures to the purpose for which the information was disclosed or to those required by law. In addition, the Employer may receive and disclose your health information to third parties for health care operations if the Employer has obtained an appropriate agreement from the person or organization receiving your health information.
- **Benefits and Services.** As part of health care operations, a Plan may use your health information to contact you regarding benefits or services that may be of interest to you where the Plan will not be receiving any direct or indirect financial remuneration in connection with such contact; receipt of such remuneration by a Plan will require your written authorization, and you will have the right to opt out of receiving such contacts. Furthermore, you will have the right to opt out of receiving any fundraising communications (within the meaning of HIPAA) from the Plans.

2. Employer

A Plan may disclose certain aspects of your health information to the Employer, as described above. Upon a request from the Employer, a Plan may disclose summary health information about you (information that identifies you only by zip code) to enable the Employer to modify, amend, or terminate the Plan. A Plan may also disclose to the Employer information on whether you are participating in, enrolled in, or disenrolled from the Plan. A Plan also may disclose health information about you, including information that identifies you, if it is necessary for the Employer to administer the Plan. For example, the Employer may need such information to process health benefits claims (including the review of denied claims), to audit or monitor the business operations of a Plan, to obtain stop-loss insurance and stop-loss insurance recoveries, or to ensure that the Plan is operating effectively and efficiently. A Plan, however, will restrict the Employer's uses of this information to purposes related only to Plan administration. The Plans prohibit the Employer from using PHI received from the Plans for uses unrelated to Plan administration. Under no circumstances will a Plan disclose your health information to the Employer for the purpose of employment-related actions or decisions (e.g., for employment termination) or for the purpose of administering any other plan that the Employer may offer (e.g., a plan that is not part of any Plan). The Employer may allow this health information to be received by third parties, such as consultants or advisers, only if the Employer has first obtained an appropriate agreement from the person or organization receiving your health information.



3. Emergencies or Public Need

A Plan may use your health information, and share it with others, in an emergency or to respond to important public needs. A Plan will not be required to obtain your written authorization or any other type of permission before using or disclosing your information for these reasons:

- **As Required by Law.** A Plan may use or disclose your health information if the Plan is required by law to do so. A Plan also will notify you of these uses and disclosures if notice is required by law.
- **Emergencies or Public Need.** A Plan may use or disclose your health information in an emergency or in response to important public needs. For example, a Plan may share your information with public health officials authorized to investigate and control the spread of diseases. A Plan may also share information about you as necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public. In such cases, a Plan will share your information only with someone able to help mitigate the threat.
- **Public Health Activities.** A Plan may disclose your health information to authorized public health officials so they may carry out their public health activities. For example, a Plan may disclose your health information to government officials who are responsible for controlling disease, injury, or disability. A Plan may also disclose your health information to a person who may have been exposed to a communicable disease or be at risk for contracting or spreading the disease if a law permits the Plan to do so.
- **Health Oversight Activities.** A Plan may disclose your PHI to government agencies authorized to conduct audits or investigations of the Plan.
- **Lawsuits and Disputes.** A Plan may disclose your health information if the Plan is ordered to do so by a court that is handling a lawsuit or other dispute. A Plan may also disclose your information in response to a subpoena, discovery request, or other lawful request by someone else involved in the dispute, but only if efforts have been made to inform you about the request or to obtain a court order protecting the information from further disclosure.
- **National Security and Intelligence Activities or Protective Services.** A Plan may disclose your health information to authorized federal officials who are conducting national security and intelligence activities, or providing protective services to the president of the United States or other important officials.
- **Military and Veterans.** If you are in the Armed Forces, a Plan may disclose health information about you to appropriate military command authorities for activities they deem necessary to carry out their military mission. A Plan may also release health information about foreign military personnel to the appropriate foreign military authority.
- **Workers' Compensation.** A Plan may disclose your health information to the extent necessary to comply with laws relating to workers' compensation or similar programs that provide benefits for work-related injuries.
- **Other Uses and Disclosures.** While federal law allows health plans to use and disclose plan members' information for treatment purposes and for other purposes to benefit the public (e.g., for scientific research) without members' authorization, the Plans do not currently use or disclose their members' information in these ways.

4. Disclosures to Friends, Family, and Others Involved in Your Care and Payment for Your Care

In the exercise of its professional judgment, a Plan may share information about your health benefits with those involved in your care or payment for your care unless you object. If you have provided your family members or friends with copies of your claim, your Harvard University ID number, or other relevant identifying information, a Plan will assume that you do not object unless you notify the Privacy and Security Official otherwise.

5. Completely De-Identified or Partially De-Identified Information

A Plan may use and disclose your health information if the Plan has removed any information that has the potential to identify you so that the health information is “completely de-identified.” A Plan may also use and disclose “partially de-identified” health information about you for public health and research purposes, or for business operations, if the person who will receive the information signs an agreement to protect the privacy of the information as required by federal and state law. Partially de-identified health information will not contain any information that would directly identify you (such as your name, street address, Social Security number, telephone number, fax number, email address, website address, or driver’s license number).

YOUR RIGHTS TO ACCESS AND CONTROL YOUR HEALTH INFORMATION

The Plans want you to know that you have the following rights to access and control your PHI. These rights are important because they will help you make sure that the health information the Plans have about you is accurate. They may also help you control the way the Plans use or share your information, or the way the Plans communicate with you about benefits matters.

A substantial portion of your health information is maintained by one or more business associates of the Plans, and not by the Employer. If your request pertains to information that is maintained by a business associate that is a third-party administrator of your benefits (for example, Benefit Strategies, LLC), you should make your request directly to the third-party administrator. The Harvard Human Resources Benefits Office will provide you with contact information at your request and can help you determine to whom your request should be addressed. You have the following rights to access and control your health information:

1. Right to Inspect and Copy Records

You have the right to inspect and obtain a copy of your PHI that may be used to make decisions about you and the provision of your health care benefits for as long as a Plan maintains this information in a designated record set. This includes records relating to payment of your health care benefits. As discussed above, certain exceptions apply to this right. To inspect or obtain a copy of your health information, please submit your request in writing to the Privacy and Security Official or contact the appropriate third-party administrator. If you request a copy of the information, a Plan may charge a reasonable fee for the costs of copying, mailing, or other supplies the Plan uses to fulfill your request. If your PHI is in an electronic health record, you may request that the electronic health record be sent to you (or an individual you designate) electronically, in a readily producible form and format, and you may state where it is to be sent. Any costs to you for such electronic delivery will be limited to the labor costs for sending that record.

A Plan ordinarily will respond to your request within 30 days if the information is located at the Employer, and within 60 days if it is located off-site at another facility. If a Plan needs additional time to respond, the Plan will notify you in writing within the time frame above to explain the reason for the delay and when you can expect to have a final answer to your request.

Under certain limited circumstances, a Plan may deny your request to inspect or obtain a copy of your information. If a Plan denies part or all of your request, the Plan will provide a written denial that explains the reasons for doing so, and a complete description of your rights to have that decision reviewed and how you can exercise those rights. The Plan will also include information on how to file a complaint with the Plan or with the secretary of the U.S. Department of Health and Human Services. If a Plan has grounds to deny your access to part of the health information requested, the Plan will do its best to provide you with access to the rest of the information after excluding the parts the Plan cannot let you inspect or copy.

2. Right to Request to Amend Records

If you believe that the health information a Plan has about you is incorrect or incomplete, you may ask the Plan to amend the information. You have the right to request an amendment for as long as the information is kept in the Plan's records. To request an amendment, please write to the Privacy and Security Official or contact the appropriate third-party administrator. Your request should include the reasons why you think the Plan should make the amendment. Ordinarily a Plan will respond to your request within 60 days. If a Plan needs additional time to respond, the Plan will notify you in writing within 60 days to explain the reason for the delay and when you can expect to have a final answer to your request.

If a Plan denies part or all of your request, the Plan will provide a written notice that explains the reasons for doing so. You will have the right to have certain information related to your requested amendment included in your records. For example, if you disagree with a Plan's decision, you will have an opportunity to submit a statement explaining your disagreement, which the Plan will include in your records. A Plan will also include information on how to file a complaint with the Plan or with the secretary of the U.S. Department of Health and Human Services. These procedures will be explained in more detail in any written denial notice the Plan sends you.

3. Right to an Accounting of Disclosures

You have a right to request an "accounting of disclosures," which is a list detailing how a Plan has shared your PHI during a relevant accounting period (six years before the date of that request for nonelectronic PHI, three years before the date of that request for electronic PHI to carry out treatment, payment, and health care operations) with others. An accounting list, however, will not include

- disclosures the Plan made to you;
- disclosures the Plan made in order to provide you with benefits or conduct the Plan's normal business operations (i.e., Plan administration), including those disclosures made to business associates of the Plan, except for disclosures through electronic health records;
- disclosures to the Employer for purposes related to administration of the Plan, except for disclosures through electronic health records;

- disclosures made to your friends and family involved in your care or payment for your care;
- disclosures of information that only indirectly identifies you (for example, through dates but not by name); or
- disclosures not made during the relevant accounting period.

To request an accounting list, please write to the Privacy and Security Official or contact the appropriate third-party administrator. Your request must state a time period within the past six years for the disclosures you want a Plan to include (but three years for electronic health records to carry out treatment, payment, and health care operations). You have a right to one accounting list within every 12-month period for free. However, a Plan may charge you for the cost of providing any additional lists in that same 12-month period. A Plan will always notify you of any cost involved so that you may choose to withdraw or modify your request before any costs are incurred.

Ordinarily a Plan will respond to your request for an accounting list within 60 days. If a Plan needs additional time to prepare the accounting list you have requested, the Plan will notify you in writing about the reason for the delay and the date when you can expect to receive the accounting list. In rare cases, a Plan may have to delay providing you with the accounting list without notifying you because a law enforcement official or government agency has asked the Plan to do so.

4. Right to Additional Privacy Protections

You have the right to request that a Plan further restrict the way the Plan uses and discloses your health information to provide you with benefits or to run normal business operations. You may also request that a Plan limit how the Plan discloses information about you to those involved in your care where, absent such a limitation, the Plan may share your health information with family and friends involved in your care or payment for your care without your written authorization. For example, you could request that a Plan not disclose information about a prescription drug you are taking. To request restrictions, please write to the Privacy and Security Official or contact the appropriate third-party administrator. Your request should include (1) what information you want to limit; (2) whether you want to limit how a Plan uses the information, how the Plan shares it with others, or both; and (3) to whom you want the limits to apply.

A Plan is not required to agree to your request for a restriction in all cases (but see above for the Plan's obligation to agree to requested restrictions relating to services for which you or someone on your behalf other than the Plans have paid the full cost out of your own pocket); in some cases, the restriction you request may not be permitted under law. However, if a Plan does agree, the Plan will be bound by its agreement unless the information is needed to provide you with emergency treatment or comply with the law. Once a Plan has agreed to a restriction, you have the right to revoke the restriction at any time. Under some circumstances, a Plan will also have the right to revoke the restriction as long as the Plan notifies you before doing so; in other cases, a Plan will need your permission before the Plan can revoke the restriction.

5. Right to Request Confidential Communications

You have the right to request that a Plan communicate with you about your benefits matters in a method or location that is more confidential for you if the disclosure of part or all of your health information could put you in danger and you clearly state that in your request. For example, you may ask that a Plan contact you at work

instead of at home. To request confidential communications, please write to the privacy and security official or contact the appropriate third-party administrator. A Plan will try to accommodate all reasonable requests. Please specify in your request how or where you wish to be contacted, and how payment for your health care will be handled if a Plan communicates with you through this alternative method or location.

6. Privacy and Security Official and Business Associates

Privacy and Security Official
Harvard University
Harvard Human Resources, Benefits
114 Mt. Auburn Street, 4th Floor
Cambridge, MA 02138
617-496-4001

To find out how to contact any Plan business associates who may have your health information, please contact the Privacy and Security Official.

7. Right to Receive Notification in the Event of a Breach

You have the right to be notified following a breach of your unsecured PHI. If such a breach occurs, you will be notified within the time and in the manner required by HIPAA.

8. Limitation of Use and Disclosures to Minimum Necessary Standard

Until the secretary of the U.S. Department of Health and Human Services releases further guidance regarding the minimum necessary standard, a Plan will limit disclosures and uses of PHI to the information contained in a limited data set. However, if it is not practicable for a Plan to limit its use or disclosure of PHI to a limited data set, then a Plan will make reasonable efforts not to use, disclose, or request more than the minimum amount of PHI necessary to accomplish the intended purpose of the use, disclosure, or request, taking into consideration practical and technological limitations.

However, the minimum necessary standard will not apply in the following situations:

- Disclosures to or requests by a health care provider for treatment purposes
- Uses or disclosures made to you
- Uses or disclosures authorized by you
- Disclosures made to the secretary of the U.S. Department of Health and Human Services
- Uses or disclosures that are required by law
- Uses or disclosures that are required for the Plans' compliance with legal requirements

9. De-Identified Information, Limited Data Sets, and Summary Information

This notice does not apply to health information that has been de-identified. De-identified information is information that does not identify an individual (i.e., you) and with respect to which there is no reasonable basis to believe that the information can be used to identify you.

In addition, the Plans may use or disclose information in a limited data set, provided that the Plans enter into a data use agreement with the limited data set recipient that complies with the federal privacy regulations. A limited data set is PHI that excludes certain direct identifiers relating to you and your relatives, employers, and household members.

The Plans may disclose “summary health information” to the University without your authorization if the University requests the summary information for the purpose of obtaining premium bids from health plans for providing health insurance coverage under the Plans, or for modifying, amending, or terminating the Plans. “Summary health information” means information that summarizes the claims history, claims expenses, or types of claims experienced by individuals for whom the University has provided health benefits under the Plans, and from which most identifying information has been deleted. The Plans may also disclose to the University information on whether an individual is participating in the Plans and the coverage in which an individual has enrolled.

10. Your Protections under Other Federal and State Law

We are required to provide this notice of privacy practices to you pursuant to HIPAA. This notice does not address requirements under other federal laws or under state laws. However, if other federal laws and/or state laws are stricter than the HIPAA privacy laws, the other federal and/or state laws must be followed. To the extent that this notice is in conflict with the HIPAA privacy rules, the HIPAA privacy rules will govern.

Harvard University
Harvard Human Resources, Benefits
114 Mt. Auburn Street, 4th Floor
Cambridge, MA 02138
617-496-4001

6.5 Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA)

If any medical insurance option under the Plan (1) provides for both medical and surgical benefits and mental health or substance use disorder benefits, and (2) is not subject to an increased cost exemption (within the meaning of the MHPAEA), the following conditions apply:

- The health insurance option may not apply annual or lifetime limits for mental health or substance use disorders that are lower than those for medical and surgical benefits.
- The medical insurance option may not apply more restrictive financial requirements or treatment limitations to mental health or substance use disorder benefits in any classification than the predominant limitations applied to substantially all of the medical and surgical benefits in any classification.
- The criteria for medical necessity determinations made under any health insurance option with respect to mental health or substance use disorder benefits will be made available by the Plan Administrator (in accordance with the MHPAEA) to any current or potential participant upon request.
- The reason for any denial under the Plan or reimbursement or payment for services with respect to mental health or substance use disorder benefits in the case of any participant will, on request or as otherwise required under the MHPAEA, be made available by the Plan Administrator to the participant in accordance with the claims procedures applicable to the group medical coverage feature.

- The Plan will be operated and construed in all respects in compliance with the MHPAEA.

“Mental health benefits” and “substance use disorder benefits” are defined in the medical benefit contract applicable to the medical insurance option, pursuant to applicable state and federal law, and consistent with generally recognized standards of current medical practice.

6.6 Newborns’ and Mothers’ Health Protection Act (NMHPA) Statement

Group health plans and health insurance issuers generally may not, under federal law, restrict benefits for any hospital length of stay in connection with childbirth for the mother or newborn child to less than 48 hours following a vaginal delivery, or less than 96 hours following a cesarean section. However, federal law generally does not prohibit the mother’s or newborn’s attending provider, after consulting with the mother, from discharging the mother or her newborn earlier than 48 hours (or 96 hours as applicable). In any case, plans and issuers may not, under federal law, require that a provider obtain authorization from the Plan or the insurance issuer for prescribing a length of stay not in excess of 48 hours (or 96 hours).

6.7 Notice of Right to Designate a Primary Care Provider

Certain coverage options under the Harvard University Medical Plan require the designation of a primary care provider. (The medical insurance coverage offered under the Harvard University Global Benefits Plan does not require the designation of a primary care provider.) If you enroll in one of those coverage options under the Harvard University Medical Plan, you will be required to designate a primary care provider for yourself and each enrolled family member at the time you enroll. If you elect any of these coverage options under the Harvard University Medical Plan, you have the right to designate any primary care provider who participates in the applicable provider network and who is available to accept you or your family members. Until you make this designation, the applicable coverage option designates one for you. For information on how to select a primary care provider, and for a list of the participating primary care providers, contact HUGHP (617-495-2008), BCBSMA (888-389-7732), Kaiser Permanente (855-249-5018), CareFirst/Blue Cross Blue Shield (888-567-9155), Blue Cross Blue Shield Medex (800-882-1093), or Tufts Medicare Preferred HMO (800-936-1902), as applicable.

For children, you may designate a pediatrician as the primary care provider.

You do not need prior authorization from the Harvard University Medical Plan or the Harvard University Global Benefits Plan or from any other person (including a primary care provider) in order to obtain access to obstetrical or gynecological care from a health care professional in our network who specializes in obstetrics or gynecology. The health care professional, however, may be required to comply with certain procedures, including obtaining prior authorization for certain services, following a pre-approved treatment plan, or following procedures for making referrals. For a list of participating health care professionals who specialize in obstetrics or gynecology, contact HUGHP (617-495-2008), BCBSMA (888-389-7732), Kaiser Permanente (855-249-5018), CareFirst/Blue Cross Blue Shield (888-567-9155), Blue Cross Blue Shield Medex (800-882-1093), Tufts Medicare Preferred HMO (800-936-1902), or MetLife Expatriate Benefits (call the telephone number of the Regional Service Center shown on your MetLife Expatriate Benefits ID card), as applicable.

6.8 Uniformed Services Employment and Reemployment Rights Act (USERRA)

USERRA provides for continuation of health care coverage if you are called for active-duty military service. Except to the extent that greater benefits are provided by Harvard, the maximum length of extended coverage under USERRA is the lesser of

- 24 months beginning on the date that the military leave begins or
- a period beginning on the day that the leave began and ending on the day after your reemployment application deadline.

If your military leave does not exceed 31 days, you will not be required to pay more than your share of the premium toward the extended coverage. If the leave is 31 days or more, then you will be required to pay the full premium cost, plus an additional 2% administration fee. If you return to covered employment after a military leave has ended, your medical coverage will be reinstated. You will not have to provide proof of good health or satisfy any waiting periods that might otherwise apply. However, exclusions or limitations may apply to an illness or injury (as defined by the Veterans Administration) incurred as a result of the military service.

6.9 Women's Health and Cancer Rights Act (WHCRA) Notices

The Harvard University Medical Plan and the medical insurance coverage offered under the Harvard University Global Benefits Plan, as required by the Women's Health and Cancer Rights Act of 1998 (WHCRA), provide benefits for mastectomy-related services, including all stages of reconstruction and surgery to achieve symmetry between the breasts, prostheses, and complications resulting from a mastectomy, including lymphedema.

If you have had or are going to have a mastectomy, you may be entitled to certain benefits under WHCRA. For individuals receiving mastectomy-related benefits, coverage will be provided, in a manner determined in consultation with the attending physician and the patient, for

- all stages of reconstruction of the breast on which the mastectomy was performed;
- surgery and reconstruction of the other breast to produce a symmetrical appearance;
- prostheses; and
- treatment of physical complications of the mastectomy, including lymphedema.

The benefits will be provided subject to the same deductibles and coinsurance applicable to other medical and surgical benefits provided under the Harvard University Medical Plan or the medical insurance coverage offered under the Harvard University Global Benefits Plan, as applicable. Therefore, the deductibles and coinsurance described in the materials provided to you by HUGHP, BCBSMA, Kaiser Permanente, CareFirst/Blue Cross Blue Shield, Blue Cross Blue Shield Medex, Tufts Medicare Preferred HMO, or MetLife Expatriate Benefits, as the case may be, apply. If you would like more information on WHCRA benefits, call HUGHP (617-495-2008), BCBSMA (888-389-7732), Kaiser Permanente (855-249-5018), CareFirst/Blue Cross Blue Shield (888-567-9155), Blue Cross Blue Shield Medex (800-882-1093), Tufts Medicare Preferred HMO (800-936-1902), or MetLife Expatriate Benefits (call the telephone number of the Regional Service Center shown on your MetLife Expatriate Benefits ID card), as applicable.

Message

From: Griffo, Shannon [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6C901EB2C3BA4556A4A581B8816D5A9A-VALLANCE, SHANNON]
Sent: 10/5/2021 5:06:20 PM
To: [REDACTED] Ex. 6 Personal Privacy (PP)
CC: Joseph Goffman; [REDACTED] Ex. 6 Personal Privacy (PP)
Subject: Follow-up from EPA Ethics

Hi [REDACTED] Ex. 6 Personal Privacy (PP)

Thanks for chatting with me this morning, especially during your busiest time! Again, I apologize that the timing of this isn't ideal. But as promised, I'm following up with the specific questions/instructions on what we need from you in your role as Joe's designee for his Nominee Report. Hopefully this will make it somewhat easier for you.

1. We need you to double check everything to confirm it is the correct information for the appropriate time periods. All assets should be reported accurately based on those reporting periods. You indicated we will be using 9/23 as the end of the reporting period for the purpose of valuing assets. I know [REDACTED] has been resending various portfolios/holdings etc. Just check that the date is consistent all around. Also, it sounds like you already have a good grasp of what needs to be reported but here's the quick refresher:

Reporting periods for Parts 2 and 6: Preceding CY2020 through 9/23/21.

What to report: We need to report a stock, bond etc. if it had a value of more than \$1,000 at the end of the reporting period (9/23) OR if more than \$200 in income was received during the reporting period (1/1/20 – 9/23/20).

2. Stocks that have been divested pursuant to a certificate of divestiture: You can delete these from the report. Joe no longer holds them and technically no "income" was received during the reporting period. His 278-Ts will suffice.

3. Other assets that are below the reporting thresholds (meaning less than \$1,000 in value AND "None (or less than \$201)" for income amount):

Ex. 6 Personal Privacy (PP); Ex. 3 (EIGA)

Ex. 6 Personal Privacy (PP); Ex. 3 (EIGA)

Ex. 6 Personal Privacy (PP); Ex. 3 (EIGA)

I think that's it for now. Once you've been able to confirm everything looks good and made any necessary changes to the report, please let me know so we can proceed accordingly. And of course, let me know if you have any questions.

Thanks so much for your assistance with this!!
Shannon

Shannon Griffio
Office of General Counsel, Ethics Office
U.S. Environmental Protection Agency
(202) 564-7061

Message

From: Fugh, Justina [Fugh.Justina@epa.gov]
Sent: 5/3/2021 2:58:34 AM
To: Utech, Dan [Utech.Dan@epa.gov]
Subject: FW: notification of (minor) pledge violation

Hi Dan,

I am writing to notify you of a Biden pledge violation by Joe Goffman. It was quite minor and, as you will see from the email below, there were no ramifications. As we have done historically for pledge violations, I am notifying you as the supervisor and have also notified the White House. The White House declined to take any action, which I think is the correct course of action. We have resolved this minor infraction so I am just letting you know for your information. There is really nothing for you to do.

Justina

Justina Fugh | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Olorunnipa, Funmi B. EOP/WHO
Sent: Tuesday, April 27, 2021 3:31 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: notification of (minor) pledge violation

Ex. 6

Thank Justina. We defer to the agencies on whom to notify but your course of action below seems reasonable to me.

From: Fugh, Justina <Fugh.Justina@epa.gov>
Sent: Tuesday, April 27, 2021 1:42 PM
To: Olorunnipa, Funmi B. EOP/WHO
Subject: notification of (minor) pledge violation

Ex. 6

Hi there,

One of our non-career SES appointees, Joseph Goffman, realized belatedly that he acted on an email sent by a representative of his former employer, which is a technical violation of Section 2 of Executive Order 13989. He did not respond directly to the requestor but did forward the email to a subordinate with a recommendation about how to proceed. He copied the career chief of staff on that email, who alerted the appointee to his error, so he notified me.

This appointee had issued a recusal statement that names the career chief of staff as his screener. In addition, my staff had provided all of the politicals and key career staff in this office with specialized training on invitations and recusals. Nevertheless, the oops occurred. To "unring the bell," I advised the subordinate to disregard the instructions from the appointee. I also contacted the requestor to explain that the appointee would not be available to meet and that, going forward, any further inquiries should be sent to the career chief of staff instead. And I have reminded the appointee to be more careful going forward.

Do you have any advice about whom else to notify about this minor pledge violation?

Justina

Justina Fugh | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

From: DeLuca, Isabel [DeLuca.Isabel@epa.gov]
Sent: 8/18/2021 8:31:56 PM
To: Fugh, Justina [Fugh.Justina@epa.gov]; Carroll, Timothy [Carroll.Timothy@epa.gov]; Campbell, Ann [Campbell.Ann@epa.gov]; Millett, John [Millett.John@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]
CC: Conrad, Daniel [conrad.daniel@epa.gov]
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Thanks, all!

From: Fugh, Justina <Fugh.Justina@epa.gov>
Sent: Wednesday, August 18, 2021 4:22 PM
To: Carroll, Timothy <Carroll.Timothy@epa.gov>; DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Millett, John <Millett.John@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Conrad, Daniel <conrad.daniel@epa.gov>
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Love that voice of reason, Tim!

From: Carroll, Timothy <Carroll.Timothy@epa.gov>
Sent: Wednesday, August 18, 2021 4:00 PM
To: DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Millett, John <Millett.John@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Conrad, Daniel <conrad.daniel@epa.gov>
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Ex. 5 Deliberative Process (DP)

Tim Carroll (he/him)
Deputy Press Secretary
Environmental Protection Agency
202-384-7510 (mobile)

From: DeLuca, Isabel <DeLuca.Isabel@epa.gov>
Sent: Wednesday, August 18, 2021 3:58 PM
To: Carroll, Timothy <Carroll.Timothy@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Millett, John <Millett.John@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Conrad, Daniel <conrad.daniel@epa.gov>
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Does it make sense to send a combined response? I want to be clear that this meeting didn't take place.

Ex. 5 Deliberative Process (DP)

From: Carroll, Timothy <Carroll.Timothy@epa.gov>
Sent: Wednesday, August 18, 2021 3:53 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>; DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Millett, John <Millett.John@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Conrad, Daniel <conrad.daniel@epa.gov>
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Thanks all, will get this over to the reporter shortly.

Tim Carroll (he/him)
Deputy Press Secretary
Environmental Protection Agency
202-384-7510 (mobile)

From: Fugh, Justina <Fugh.Justina@epa.gov>
Sent: Wednesday, August 18, 2021 3:36 PM
To: DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Millett, John <Millett.John@epa.gov>; Carroll, Timothy <Carroll.Timothy@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Conrad, Daniel <conrad.daniel@epa.gov>
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Hi Isabel,

I got that same question about what I meant by “unring the bell,” but I sent the inquiry to the press office. Then I was asked by OGC’s front office (Dan Conrad, copied here for his situational awareness) to provide edits to the proposed OPA response, so here’s what I provided:

Ex. 5 Deliberative Process (DP)

The question to your office makes you address my colloquial phrase (sorry) and to directly answer whether or not the meeting took place. I actually had no idea about the meeting, but I can tell you that I wrote to Harvard to say that Joe Goffman was unable to respond to the request. I suggested that Harvard could reach out to Ann Ferrio instead. I have no comments on your draft response. Good job with that!

Justina

Justina Fugh (she/her) | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: DeLuca, Isabel <DeLuca.Isabel@epa.gov>
Sent: Wednesday, August 18, 2021 2:05 PM
To: Campbell, Ann <Campbell.Ann@epa.gov>; Millett, John <Millett.John@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>; Carroll, Timothy <Carroll.Timothy@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Justina, does the following response look ok to you in response to the questions from the Daily Caller? I’m also hoping we might hop on a call at 3:45 to discuss if anything more is needed here.

Incoming: I’m a reporter with the Daily Caller News Foundation. Protect the Public’s Trust, a watchdog group, filed a complaint today to the Environmental Protection Agency inspector general about a meeting you agreed to schedule with representatives from Harvard University in late April/early May. Emails obtained by the group show that shortly after

you agreed to the meeting, you informed an ethics officer that your recusal bars you from agreeing to them meeting. The ethics officer informed you: "Now we have to unring the bell, which we will do without your knowledge or involvement." Can you confirm whether or not this meeting between you and Kathleen Fallon Lambert, Elise Sunderland and Charles Driscoll as described in this complaint every took place? And can you clarify what was meant by "unring the bell"?

Draft response:

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Fugh, Justina <Fugh.Justina@epa.gov>
Sent: Wednesday, August 18, 2021 10:25 AM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>; Millett, John <Millett.John@epa.gov>; DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>
Cc: Clarke, Victoria <clarke.victoria@epa.gov>
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

Hi Joe,
I got the same question and told the reporter to contact OPA.
Justina

Justina Fugh (she/her) | Director, Ethics Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Goffman, Joseph <Goffman.Joseph@epa.gov>
Sent: Wednesday, August 18, 2021 10:23 AM
To: Millett, John <Millett.John@epa.gov>; DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>; Clarke, Victoria <clarke.victoria@epa.gov>
Subject: FW: Media Inquiry: Joseph Goffman Ethics Complaint

Please advise. Thanks.

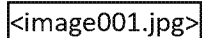
Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Andrew Kerr <akerr@dailycallernewsfoundation.org>
Sent: Wednesday, August 18, 2021 10:18 AM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Subject: Re: Media Inquiry: Joseph Goffman Ethics Complaint

Joseph,

Just wanted to make sure you got this.

--

Andrew Kerr
Investigative Reporter
Daily Caller News Foundation
(704)770-5938
@AndrewKerrNC


On Tue, Aug 17, 2021 at 12:09 PM Andrew Kerr <akerr@dailycallernewsfoundation.org> wrote:

Hi Joseph,

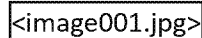
I'm a reporter with the Daily Caller News Foundation.

Protect the Public's Trust, a watchdog group, filed a [complaint](#) today to the Environmental Protection Agency inspector general about a meeting you agreed to schedule with representatives from Harvard University in late April/early May. [Emails obtained by the group show](#) that shortly after you agreed to the meeting, you informed an ethics officer that your recusal bars you from agreeing to them meeting. The ethics officer informed you: "Now we have to unring the bell, which we will do without your knowledge or involvement."

Can you confirm whether or not this meeting between you and Kathleen Fallon Lambert, Elise Sunderland and Charles Driscoll as described in this complaint every took place? And can you clarify what was meant by "unring the bell"?

Best,

--

Andrew Kerr
Investigative Reporter
Daily Caller News Foundation
(704)770-5938
@AndrewKerrNC


--

--

Andrew Kerr

Investigative Reporter

Daily Caller News Foundation

(704)770-5938

@AndrewKerrNC

Message

From: Grantham, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=12A3C2ED7158417FB0BB1B1B72A8CFB0-GRANTHAM, NANCY]
Sent: 8/18/2021 5:36:28 PM
To: Hamilton, Lindsay [Hamilton.Lindsay@epa.gov]; Carroll, Timothy [Carroll.Timothy@epa.gov]; Conrad, Daniel [conrad.daniel@epa.gov]
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

agree

Nancy Grantham
Principal Deputy Associate Administrator
Environmental Protection Agency
Office of Public Affairs
202-564-6879 (desk)
202-253-7056 (cell)
grantham.nancy@epa.gov

From: Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>
Sent: Wednesday, August 18, 2021 1:35 PM
To: Carroll, Timothy <Carroll.Timothy@epa.gov>; Conrad, Daniel <conrad.daniel@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: Media Inquiry: Joseph Goffman Ethics Complaint

I'm good with sharing this.

From: Carroll, Timothy <Carroll.Timothy@epa.gov>
Sent: Wednesday, August 18, 2021 1:23 PM
To: Conrad, Daniel <conrad.daniel@epa.gov>
Cc: Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Re: Media Inquiry: Joseph Goffman Ethics Complaint

Thanks Dan!

Lindsay, do you want to review and let me know if we're good to share?

On Aug 18, 2021, at 1:21 PM, Conrad, Daniel <conrad.daniel@epa.gov> wrote:

See below edits- Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Conrad, Daniel
Sent: Wednesday, August 18, 2021 12:19 PM
To: Carroll, Timothy <Carroll.Timothy@epa.gov>
Cc: Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Re: Media Inquiry: Joseph Goffman Ethics Complaint

Checking with my folks and will get back to you. Thanks
-Dan

On Aug 18, 2021, at 12:05 PM, Carroll, Timothy <Carroll.Timothy@epa.gov> wrote:

Taking this off press inbox, sorry about that.

From: EPA Press Office <Press@epa.gov>
Sent: Wednesday, August 18, 2021 12:05 PM
To: Conrad, Daniel <conrad.daniel@epa.gov>
Cc: Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Fw: Media Inquiry: Joseph Goffman Ethics Complaint

Hey Dan, see below. We'd like to respond with something along these lines and refer any additional questions to OIG, but wanted to get OGC's feedback. Let us know what you think, thanks!

Ex. 5 Deliberative Process (DP)

From: Andrew Kerr <akerr@dailycallernewsfoundation.org>
Sent: Tuesday, August 17, 2021 12:27 PM
To: EPA Press Office <Press@epa.gov>
Subject: Media Inquiry: Joseph Goffman Ethics Complaint

Hello,

I'm a reporter with the Daily Caller News Foundation.

Protect the Public's Trust, a watchdog group, filed a [complaint](#) today to the Environmental Protection Agency inspector general about a meeting EPA Deputy Assistant Administrator Joseph Goffman agreed to schedule with representatives from Harvard University in late April/early May. [Emails obtained by the group show](#) that shortly after Goffman agreed to the meeting, he informed an ethics officer that his recusal bars him from agreeing to them meeting. The ethics officer informed you: "Now we have to unring the bell, which we will do without your knowledge or involvement."

Can the EPA confirm whether or not this meeting between Goffman and Kathleen Fallon Lambert, Elise Sunderland and Charles Driscoll as described in this complaint ever took place? And can you clarify what was meant when the ethics officer said “unring the bell”?

Best,

--

Andrew Kerr
Investigative Reporter
Daily Caller News Foundation
(704)770-5938
@AndrewKerrNC